



Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Agenda Planning & Zoning Board

Monday, September 12, 2016

5:30 PM

Town Hall

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

ROLL CALL

SCHEDULED PUBLIC HEARING

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

[16-0180](#) Variance for 1501 Indian Rocks Road

Attachments: [1501 Indian Rocks Road Variance](#)
[NTA-1501 IRR Variance](#)

[16-0194](#) Request for Variance 1612 Indian Rocks Road

Attachments: [1612 Indian Rocks Road](#)

[16-0192](#) Request for Variance 1 Country Club Lane (Parcel No. 21/29/15/06480/000/0313)

Attachments: [Memo- Application for Buffer Variances](#)
[1 Country Club Lane](#)

[16-0195](#) Variance for Bellevue Place Temporary Signs

Attachments: [Memo-Variance Application Temp. Signs No. 1-3](#)
[BCC-Bellevue Place Temp Sign Variance](#)
[Memo-Variance Application Temp. Sign No. 4](#)
[Bellevue Place Temp Sign Variance](#)

CITIZENS COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

APPROVAL OF MINUTES

[16-0171](#) Approval of July 11, 2016 Meeting Minutes

Attachments: [P & Z Minutes 07-11-2016](#)

GENERAL AGENDA

OTHER BUSINESS

COMMISSION ADVISOR REPORT

ADJOURNMENT

ANY PERSON WITH A DISABILITY REQUIRING REASONABLE ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING, SHOULD CALL (727) 588-3769 OR FAX A WRITTEN REQUEST TO (727) 588-3767.



Legislation Details (With Text)

File #: 16-0180 **Version:** 1 **Name:**
Type: Action Item **Status:** Public Hearing
File created: 8/8/2016 **In control:** Planning & Zoning Board
On agenda: 9/12/2016 **Final action:**
Title: Variance for 1501 Indian Rocks Road
Sponsors:
Indexes:
Code sections:
Attachments: [1501 Indian Rocks Road Variance](#)
[NTA-1501 IRR Variance](#)

Date	Ver.	Action By	Action	Result
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Summary

To: Planning & Zoning
From: J.P. Murphy
Date: 9/12/2016

Subject:

Variance for 1501 Indian Rocks Road

Summary:

The applicant is requesting three (3) after the fact variances

The first variance request would allow for an existing ground structure with 2 ground signs separated by more than 3ft be counted as 1 sign. The current width of the ground structure is 4.5ft. The applicant is asking for a 1½ft variance for distance between signs.

The second variance request would allow the maximum use of signage area to be increased from 20 square ft to a total not to exceed 45 square ft for maximum use signage area. The applicant is asking for a 25ft variance increase to the signage area.

The third variance request would allow for 1 variable sign to be placed on the existing marquee sign advertising different events that the golf club is holding

Previous Commission Action: N/A

Background/Problem Discussion: N/A

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Enter Recommendation

Proposed Motion Enter Text Here



**TOWN OF BELLEAIR
BUILDING DEPARTMENT**
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

MEMORANDUM

DATE: August 5, 2016
TO: Mayor and Commissioners
FROM: Micah Maxwell, Town Manager
SUBJECT: Request for Variance – **Bellevue Biltmore Golf Course**
1501 Indian Rocks Road
Belleair, FL, 33756
Parcel No 28/29/15/68274/000/0002

Property Owner: Green Golf Partners (Town of Belleair)
901 Ponce De Leon Blvd
Belleair , FL 33756

The following information is regarding the above referenced variance request.

- I. Existing conditions of land and structure(s):
- A. Zoning designation: GC (Golf Course)
- B. Original Construction date:
- 1925 (original construction)
 - 1991
- C. Structural and other improvements to date:
- 1949 - Addition
 - 1958 - Addition
 - 1962 - Addition
 - 1973 - Addition
 - 1986 - Re-roof
 - 1987 - Rest Stations
 - 1988 - Re-roof
 - 1990 - Site work for Club house
 - 1990 - Club House w/ shop and rest
 - 1991 - Fire Suppression system
 - 1991 - Demo of Old Club house
 - 1997 - Interior Demo
 - 1997 - Interior Remodel
 - 1999 - Plumbing
 - 2001 - Electrical
 - 2001 - Shed
 - 2001 - Tree Removal
 - 2004 - Door Replacement
 - 2005 - Fire Sprinklers
 - 2005 - Plumbing
- D. Existing Easements:



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II. Proposed request:

The applicant is requesting three (3) after the fact variances

The first variance request would allow for an existing ground structure with 2 ground signs separated by more than 3ft be counted as 1 sign. The current width of the ground structure is 4.5ft. The applicant is asking for a 1½ft variance for distance between signs

The second variance request would allow the maximum use of signage area to be increased from 20 square ft to a total not to exceed 45 square ft for maximum use signage area. The applicant is asking for a 25ft variance increase to the signage area.

The third variance request would allow for 1 variable sign to be placed on the existing marquee sign advertising different events that the golf club is holding



RECEIVED TOWN OF BELLEAIR
BELLAIR BLDG. DEPT. 901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
AUG 05 2016 Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

TIME REC. _____

DATE 8-4-16

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, GREEN GOLF PARTNERS, owner of Lot 28-29-15-68274-000-0002 Block _____, Subdivision PELICAN GOLF COURSE, property Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned GOLF COURSE.
3. The present land use on the property is GOLF COURSE.
4. The decision involves Article 74 Section 573-C1 of the Belleair Land Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development Code.
6. The Relief prayed by the applicant is: A SIGN THAT IS LARGER THAN 20 SQFT. NOT PERMITTED BY T.O.B. / CURRENT NEW SIGN IS 44 SQFT.
7. The Justification for the request is (requests for the variances must demonstrate the practical difficulty or unnecessary hardship which justifies the variance): 1. SIGN STRUCTURE WAS EXISTING WHEN TOWN PURCHASED. 2. NEW SIGN COVERS OLD LOGO. 3. OVERLAY FOR SUNDAY BRUNCH.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the variance application fee, will be the responsibility of the applicant regardless of approval or denial of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after approval by the Town Commission unless a building permit is produced from the Town with respect to the improvements contemplated by this application for variance within said twelve month period unless the construction of said improvements is promptly commenced pursuant to the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: _____

TOWN OF BELLEAIR
Owner
1501 INDIAN ROCKS RD.
Address
727-581-5498
Telephone Number



TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

VARIANCE APPLICATION CHECK OFF SHEET

Application shall be **fully completed** and must include the following information:

OWNERS NAME GREEN GOLF PARTNERS

OWNERS MAILING ADDRESS 1501 INDIAN ROCKS RD.

PROPERTY ADDRESS 1501 INDIAN ROCKS RD.

PHONE NUMBER 727-581-5498

REPRESENTATIVE NAME AND ADDRESS (if any) _____

ZACK VERVAECKE / 1501 INDIAN ROCKS RD.

PHONE NUMBER 515-720-6401

DATE OF ORIGINAL CONSTRUCTION NOVEMBER 2015

IMPERVIOUS COVER _____

FLOOD ZONE AND ELEVATION _____

REQUIRED INFORMATION:

<u>REQUIRED</u>	<u>RECEIVED</u>	PROVIDE (18) COPIES EACH.
<u> X </u>	_____	PLANS/SPECS/PRODUCT BROCHURE
<u> X </u>	_____	PHOTOS OF AREA (straight/right angle/left angle)
<u> X </u>	_____	SURVEY W/ SETBACKS SHOWN
<u> X </u>	_____	SITE PLAN W/ SETBACKS SHOWN

REVIEWED BY: ZONING PUB.WK FIRE BLDG. MRG.

DATE SENT: _____

DATE RETURNED: _____

[Interactive Map of this parcel](#)[Sales Query](#)[Back to Query Results](#)[New Search](#)[Tax Collector Home Page](#)[Contact Us](#)

WM

28-29-15-68274-000-0002[Compact Property Record Card](#)[Portability Calculator](#)**Updated August 3,2016**[Email Print](#)[Radius Search](#)[FEMA/WLM](#)**Ownership/Mailing Address** [Change Mailing Address](#)

BELLEAIR, TOWN OF
901 PONCE DE LEON BLVD
BELLEAIR FL 33756-1034

Site Address

1501 INDIAN ROCKS RD
BELLEAIR

Property Use: 3855 (Regulation, PAR 3 Golf Course)

Living Units: 0

[\[click here to hide\] Legal Description](#)

PELICAN GOLF COURSE LESS THAT PART DESC FROM POINT ON E'LY R/W OF GOLF VIEW DR & N'LY R/W OF ALTHEA RD TH S25D17'43"W 310FT FOR POB TH S64D42'17"E 125FT TH S25D17'43"W 100FT TH S45D51'05"W 128.16FT TH S04D44'21"W 128.16FT TH N64D42'17"W 125FT TH N25D17'43"E 340FT TO POB

[File for Homestead Exemption](#)**2016 Parcel Use**

Exemption	2016	2017
Homestead:	No	No
Government:	Yes	Yes
Institutional:	No	No
Historic:	No	No

Homestead Use Percentage: 0.00%
Non-Homestead Use Percentage: 100.00%
Classified Agricultural: No

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Plat Book/Page
17887/1694	Sales Query	121030257001	NON EVAC	053/045

2016 Preliminary Value Information

Year	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2016	\$1,956,692	\$1,956,692	\$0	\$0	\$0

[\[click here to hide\] Value History as Certified \(yellow indicates correction on file\)](#)

Year	Homestead Exemption	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2015	No	\$1,995,806	\$1,995,806	\$0	\$0	\$0
2014	No	\$1,986,942	\$1,986,942	\$1,986,942	\$1,986,942	\$1,986,942
2013	No	\$1,991,073	\$1,991,073	\$1,991,073	\$1,991,073	\$1,991,073
2012	No	\$1,999,144	\$1,999,144	\$1,999,144	\$1,999,144	\$1,999,144
2011	No	\$2,108,262	\$2,108,262	\$2,108,262	\$2,108,262	\$2,108,262
2010	No	\$2,428,422	\$2,428,422	\$2,428,422	\$2,428,422	\$2,428,422
2009	No	\$3,246,210	\$3,246,210	\$3,246,210	\$3,246,210	\$3,246,210
2008	No	\$3,750,000	\$3,750,000	\$3,750,000	\$3,750,000	\$3,750,000
2007	No	\$3,600,000	\$3,600,000	\$3,600,000	N/A	\$3,600,000
2006	No	\$3,659,800	\$3,659,800	\$3,659,800	N/A	\$3,659,800
2005	No	\$3,089,600	\$3,089,600	\$3,089,600	N/A	\$3,089,600
2004	No	\$2,794,400	\$2,794,400	\$2,794,400	N/A	\$2,794,400
2003	No	\$2,677,700	\$2,677,700	\$2,677,700	N/A	\$2,677,700
2002	No	\$2,554,400	\$2,554,400	\$2,554,400	N/A	\$2,554,400
2001	No	\$2,419,100	\$2,419,100	\$2,419,100	N/A	\$2,419,100
2000	No	\$2,239,700	\$2,239,700	\$2,239,700	N/A	\$2,239,700
1999	No	\$2,220,900	\$2,220,900	\$2,220,900	N/A	\$2,220,900
1998	No	\$2,227,300	\$2,227,300	\$2,227,300	N/A	\$2,227,300
1997	No	\$1,898,700	\$1,898,700	\$1,898,700	N/A	\$1,898,700
1996	No	\$1,903,700	\$1,903,700	\$1,903,700	N/A	\$1,903,700

2015 Tax Information[Click Here for 2015 Tax Bill](#)

Tax Collector Mails 2015 Tax Bills October 31

Tax District: **BL**

2015 Final Millage Rate

21.9426

2015 Est Taxes w/o Cap or Exemptions

\$43,793.17

A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. [Click here for more information.](#)

Ranked Sales [\(What are Ranked Sales?\)](#) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
06 Feb 2013	17887 / 1694	\$3,500,000	U	I
20 Dec 2010	17122 / 1371	\$1,680,000	U	I
29 Jun 2007	15866 / 0882	\$30,300,000	U	I
14 Apr 1997	09672 / 0983	\$9,400,000	U	I
26 Apr 1990	07260 / 2214	\$4,902,100	Q	I

2016 Land Information

Seawall: No		Frontage: None			View:	
Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Wasteland/Marsh (96)	0x0	1000.00	1.0800	1.0000	\$1,080	AC

Golf Courses (38)	0x0	5500.00	134.9000	1.0000	\$741,950	AC
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[\[click here to hide\] 2016 Building 1 Structural Elements](#) [Back to Top](#)

Site Address: 1501 INDIAN ROCKS RD

Quality: Average
 Square Footage: 17882.00
 Foundation: Spread/Mono Footing
 Floor System: Slab On Grade
 Exterior Wall: Concrete Blk/Wood
 Roof Frame: Wood Frame/Truss
 Roof Cover: Composition Shingle
 Stories: 0
 Living units: 0
 Floor Finish: Carpet Combination
 Interior Finish: Dry Wall
 Fixtures: 27
 Year Built: 1991
 Effective Age: 20
 Cooling: Heat & Cooling Pkg

**No Building Drawing
Available**

[Compact Property Record Card](#)

Building 1 Sub Area Information

Description	Building Finished Ft ²	Gross Area Ft ²	Factor	Effective Ft ²
Utility	4,224	4,224	0.55	2,323
Open Porch	0	818	0.30	245
Base	8,122	8,122	1.00	8,122
Detached Garage Unfinished	0	4,480	0.45	2,016
Carport Unfinished	0	238	0.20	48
Total Building finished SF: 12,346		Total Gross SF: 17,882	Total Effective SF: 12,754	

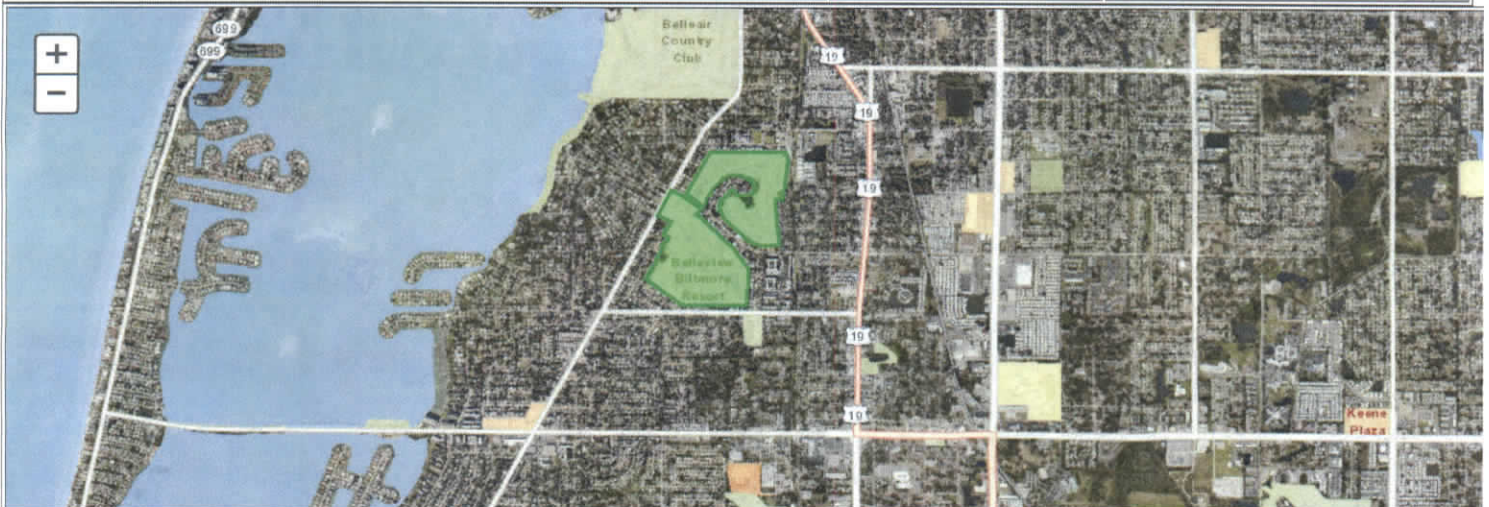
[\[click here to hide\] 2016 Extra Features](#)

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
GOLF HOLE	\$85,000.00	18.00	\$1,530,000.00	\$1,071,000.00	1991
FIRESPRINK	\$2.30	9,940.00	\$22,862.00	\$12,803.00	1991
CONC PAVE	\$6.00	3,600.00	\$21,600.00	\$15,120.00	0
ASPHALT	\$1.75	30,000.00	\$52,500.00	\$36,750.00	0

[\[click here to hide\] Permit Data](#)

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
1837	COMMERCIAL ADD	17 Nov 2014	\$22,600
9650	ROOF	11 May 2011	\$68,225
7843	HEAT/AIR	14 Apr 2008	\$8,850
7754	ROOF	21 Feb 2008	\$14,840
01-7-2091	SHED	10 Aug 2001	\$12,900
97-10-7718	COMMERCIAL ADD	10 Nov 1997	\$8,000



EXISTING 5x10' MONUMENT PANELS (x2 SIDES)

1501

Bar & Grill

PUBLIC
WELCOME



8 FT 8 INCHES

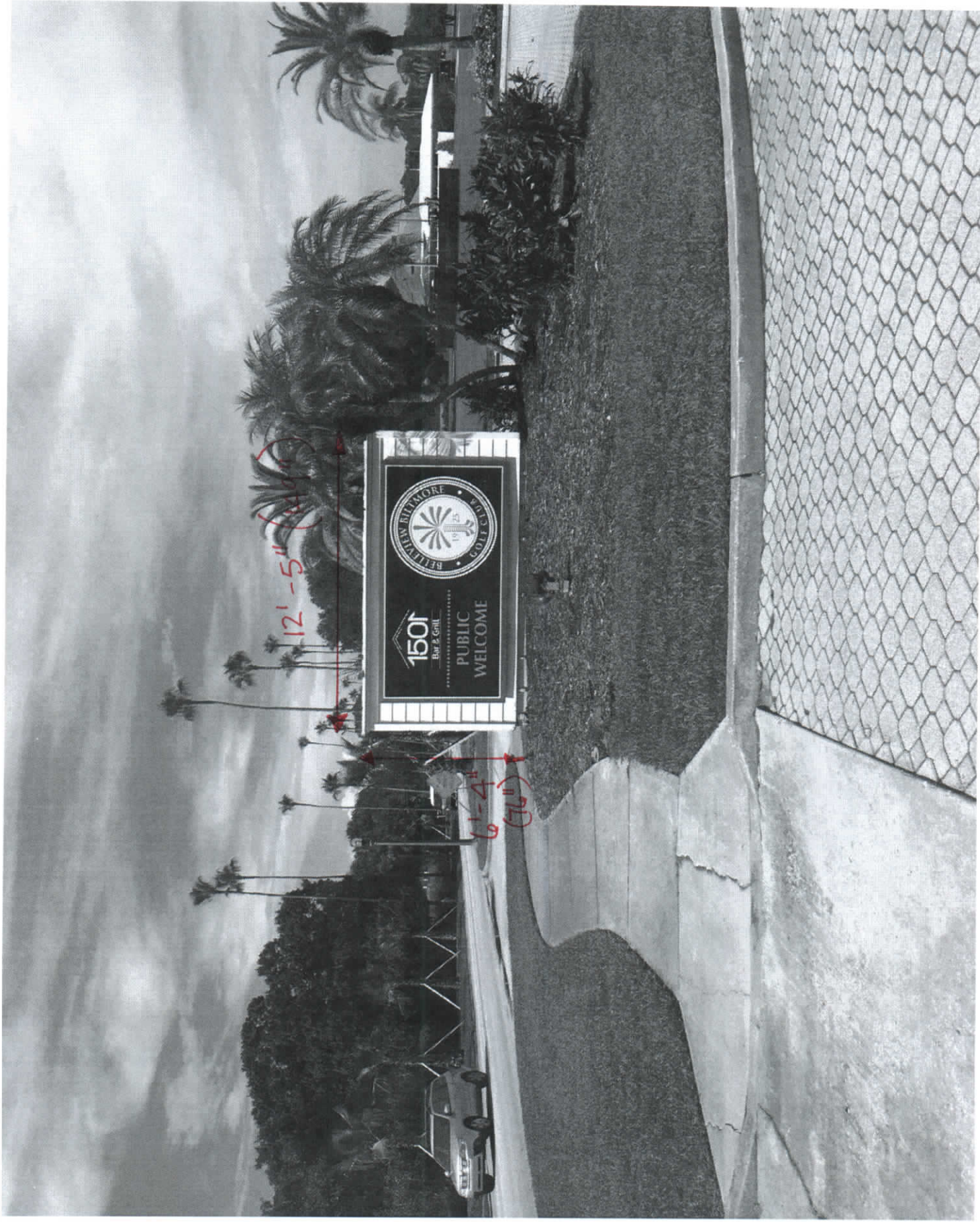
5 FT

PROPOSED LOW TAC TEMPORARY VINYL MODIFICATION (x2 SIDES)

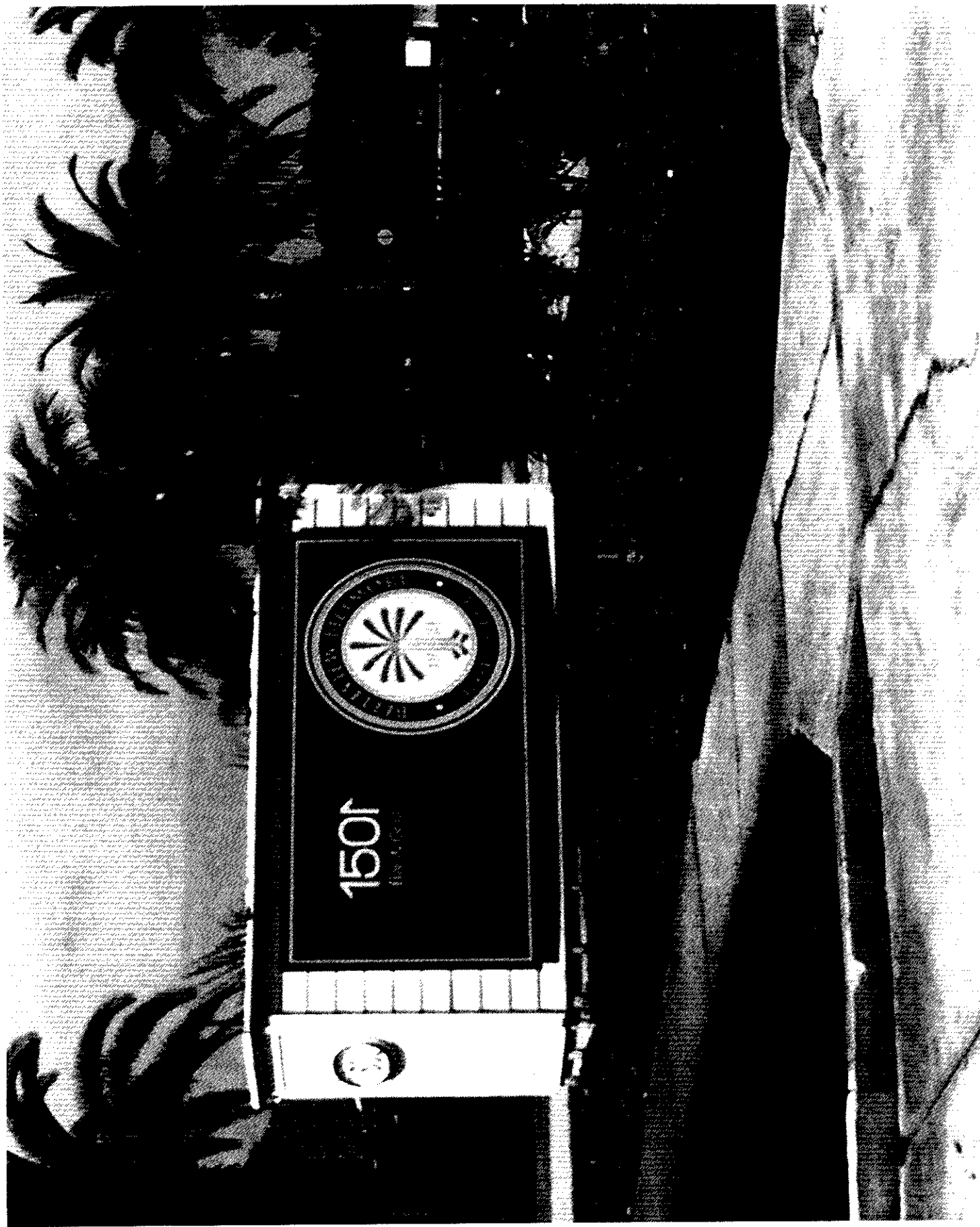


**PRIME RIB
SUNDAY BRUNCH
10am-4pm**









ARTICLE IX. - SIGNS

DIVISION 1. - GENERALLY

Sec. 74-541. - Purpose of article; conflicting provisions.

This article is intended to complement the requirements of the building and electrical codes adopted by the town. It is also the intent of this article to support the provisions of the county sign ordinance where it is consistent with or more restrictive than this article. Wherever inconsistency exists between this article and the county sign ordinance or the building and electrical codes, the more stringent requirement shall apply.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-542. - Applicability of article.

No person shall erect in any manner or attach in any manner to any building, wall, fence, pole, tree or shrub, or annex to the land within the town any sign or any advertising matter of any kind whatsoever, unless expressly authorized by or exempted from this land development code. A permit shall be applied for and issued by the town manager prior to erecting any permanent accessory sign. Development excluded under section 66-3(b)(4) and (5) shall not be exempted from the provisions of this article.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-543. - Maintenance.

All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display area, shall be maintained in accordance with the building and electrical codes adopted by the town, and shall present a neat and clean appearance. The vegetation around, in front of, behind and underneath the base of the ground signs for a distance of ten feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-544. - Compliance with article no defense to nuisance action.

Compliance with the requirements of this article shall not constitute a defense to an action brought to abate a nuisance under the common law.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-545. - Prohibited signs.

The following signs are prohibited unless exempted by division 2 of this article or expressly authorized by division 3 or division 4 of this article:

- (1) Signs that are in violation of the building code or electrical code adopted by the town.
- (2) Any sign that constitutes or has the potential to constitute a safety hazard.
- (3) Blank signs.
- (4) Signs with visible moving, revolving or rotating parts, visible mechanical movement of any kind, or other apparent visible movement achieved by electrical, electronic or mechanical means, including time-temperature-date signs.
- (5) Signs with the optical illusion of movement created by a design that presents a pattern giving the illusion of motion or changing of copy.
- (6) Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color.
- (7) Strings of lightbulbs used on commercially developed parcels for commercial purposes, excluding holiday decorations.
- (8) Signs commonly referred to as wind signs, consisting of one or more banners, flags pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move in the wind. (See figure 1 following this subsection.)

FIGURE 1. WIND SIGNS

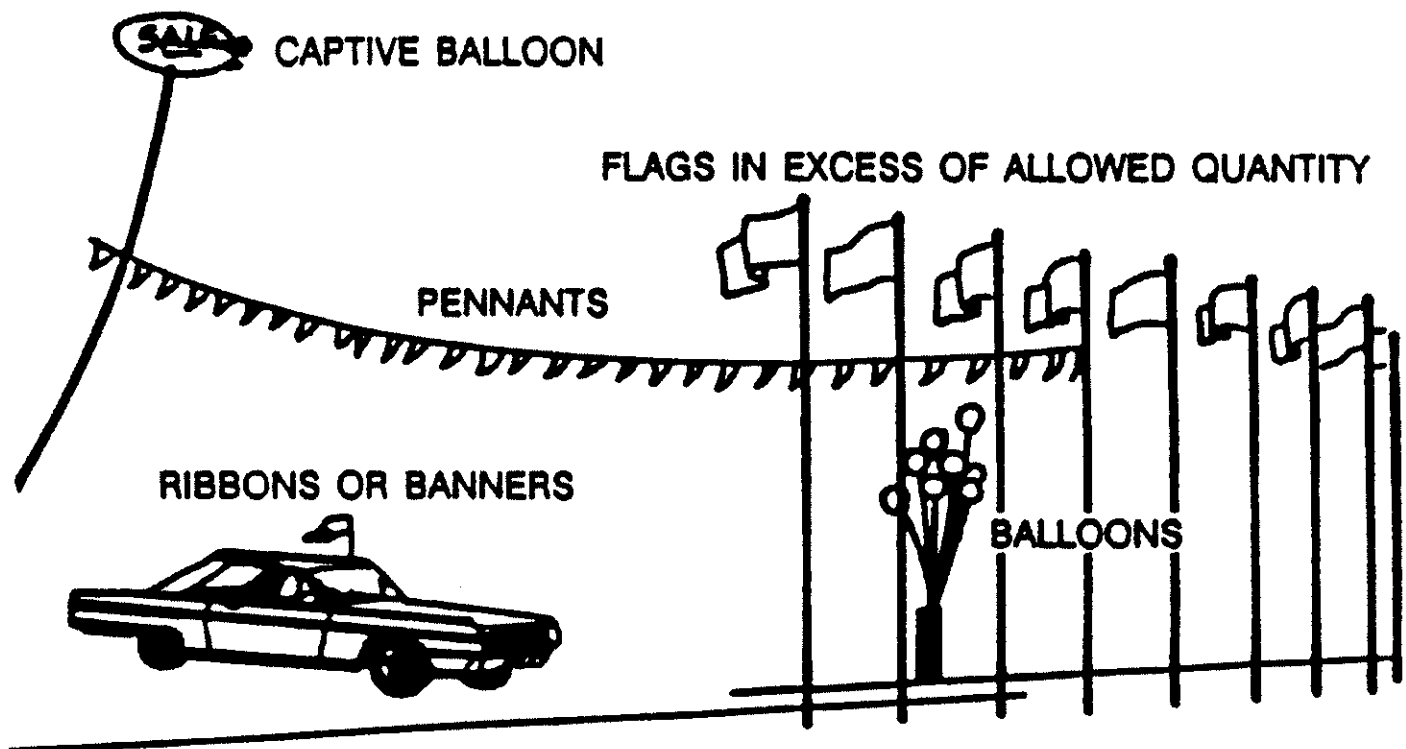


Figure 1—Wind Signs

- (9) Signs that incorporate projected images, have more than the two faces (sides), involve the use of live animals, or emit audible sound, odor or visible matter such as smoke to attract attention.
- (10) Signs or sign structures that interfere in any way with the use of any fire escape, emergency exit or standpipe, or that obstruct any window so that light or ventilation is reduced to less than that required by any provision of this land development code or other town ordinance.
- (11) Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal or be of a size, location, movement, content, color or illumination that may be reasonably confused with, construed as or conceal a traffic control device.
- (12) Signs that obstruct the vision of pedestrians, cyclists or motorists traveling on or entering public streets.
- (13) Nongovernmental signs that use the word "stop," "look" or "danger," or any similar word, phrase or symbol, except as permitted under section 74-571(11).
- (14) Signs within ten feet of a public right-of-way.
- (15) Signs within 100 feet of traffic controls that contain red, yellow or green lights that might be confused with traffic control lights.
- (16) Signs of such intensity or brilliance that they cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public street, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- (17) Signs that contain any lights or control mechanism that causes unreasonable interference with radio, television or other communication signals.
- (18) Searchlights used to advertise or promote a business or to attract customers to a property.
- (19) Signs that are painted, pasted or printed on any curbstone, flagstone or pavement or any portion of any sidewalk or street, except house numbers and traffic control signs.
- (20) Signs placed on benches, bus shelters or waste receptacles, except signs to identify public conveyances or services.
- (21) Signs erected on public property, or on private property, such as private utility poles, located on public property, other than signs erected by public authority for public purposes.
- (22) Signs erected over or across any public street, except as may otherwise be expressly authorized by this land development code, and except governmental signs erected by or on the order of the town manager.
- (23) Vehicle signs with a total sign area on any vehicle in excess of 80 square inches when the vehicle is parked for more than 60 consecutive minutes, except when the operator of the vehicle is engaged in work at that location.
- (24) Signs displaying copy that is harmful to minors.

(25) Portable signs.

(26) Roof signs.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-546—74-570. - Reserved.

DIVISION 2. - EXEMPT AND PERMITTED SIGNS

Sec. 74-571. - Exempt signs.

The following signs are exempt from the provisions of this article, and from the requirements stated in this land development code that a permit be obtained for the erection of a permanent sign, provided such signs are not placed or constructed so as to violate any of the provisions of section 74-545:

- (1) Signs that are not designed or located so as to be visible from any street or adjoining property.
- (2) Signs of 80 square inches or less which include no letters, symbols, logos or designs in excess of two inches in vertical or horizontal dimension, provided that such signs do not constitute a sign prohibited by section 74-545 and are not located in the front yard setback.
- (3) Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the United States, the state, the county or the town.
- (4) Legal notices and official instructions.
- (5) Decorative flags, banners and bunting for a celebration, convention or commemoration of significance to the community, when authorized by the town manager for a prescribed period of time.
- (6) Holiday lights, religious displays and decorations.
- (7) Merchandise displays behind storefront windows if no part of the display moves or contains flashing lights, provided that any printed matter in the display combined with any permanent permitted sign may not exceed the total number of square feet allowed in the permanent sign regulations.
- (8) Memorial signs or tablets, names of buildings and dates of erection when cut into masonry surface or when constructed of bronze or other noncombustible materials and attached to the surface of a building.
- (9) Signs incorporated into machinery or equipment by a manufacturer or distributor which identify or advertise only the product or service dispensed by the machine or equipment.
- (10) Advertising and identifying signs located on taxicabs, buses, trailers, trucks or vehicle bumpers.
- (11)

Warning signs to indicate the dangers of trespassing, swimming, animals or potential hazards as provided in section 74-545(13).

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-572. - Permitted temporary signs.

- (a) *Generally.* Temporary signs are allowed throughout the town, subject to the restrictions of this section and other relevant parts of the land development code. The town feels it is necessary to place restrictions on the use and placement of temporary signs in order to protect and enhance the aesthetic beauty and appearance of the town and to ensure that the proliferation of temporary signs does not create visual eyesores or litter problems. A temporary sign may be a ground or building sign. It may not be an electrical sign. Within 48 hours after the culmination of the event (sale, election, close of business, special event, etc.) to which the sign pertains, the owner or resident thereof shall remove all posted temporary signs.
- (b) *Placement authorization; off-premises signs.* No temporary sign shall be erected on any property without the authorization of the owner or resident thereof. Temporary off-premises signs for the purpose of providing direction or advertising a sale or event are prohibited.

No temporary sign shall be erected on any property without the authorization of the property owner or resident thereof.

Temporary signs for the purpose of providing direction or advertising of a garage sale, yard sale, estate sale, automobile sale and the like are to be placed only on the property of the residence where a permit has been issued for such sale.

- (c) *Placement standard.* Temporary signs and support structures are to be posted not less than ten feet from the edge of a street and shall not be posted on or over a public right-of-way or easement.
- (d) *Content.* A temporary sign may display any message as long as it is:
- (1) Not harmful to minors.
 - (2) For a specific, special, one-time event or function that does not normally occur more than once a year (i.e., sale of property, construction in progress, election or grand opening).
- (e) *Size, height and number.*
- (1) RE, R-1 and R-2 districts. A parcel on which a one-family or two-family residence is located may display signage of six square feet per residence with no sign exceeding five square feet in size. No sign, including its support, shall exceed four feet in height.
 - (2) All other zoning districts. All other parcels may display six square feet of temporary signage per 100 feet of frontage, up to a maximum of 24 square feet of signage. No sign, including its support, shall be more than eight feet in height.
 - (3)

Exception. Notwithstanding the foregoing height and size restrictions a person engaging in the sale of residential or real property shall be permitted to install one additional temporary sign that shall not exceed five square feet in size and shall not be more than four feet in height, including its supports. The aforementioned additional temporary sign shall be permitted on the property for a maximum of 12 hours per week and shall be no more than three feet apart from any other temporary sign on the property. In addition, notwithstanding the prohibition in subsection (b) above, the additional temporary sign contemplated in this subsection or a temporary sign contemplated generally in this section may provide direction or advertise the sale or event related to the sale of residential or real property. This exception shall expressly apply to persons engaging in the sale of residential real estate. All provisions of this section and applicable provisions of the land development code shall apply to any additional temporary sign permitted by this section.

- (f) *Removal of illegal signs.* Any temporary sign not complying with the requirements of this section is illegal, and the town is authorized to remove and dispose of all illegal temporary signs and assess a fee as provided in appendix B to this Code for such removal.

(Ord. No. 399, § 1, 11-20-01; Ord. No. 402, § 1, 1-15-02; Ord. No. 409, § 1, 1-7-03; Ord. No. 452, § 1, 7-15-08)

Sec. 74-573. - Permitted permanent signs.

- (a) A permanent accessory sign may be a ground or building sign. No such signs are allowed in the RE, R-1 and R-2 zoning districts except those allowed in section 74-575.
- (b) A permanent accessory sign may display any message which is not harmful to minors.
- (c) Permissible number, area, spacing and height of permanent accessory signs are as follows:
 - (1) *RM-15, RPD, hotel, golf course and SPM districts.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.
 - (2) *Single-occupancy commercial complex.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.
 - (3) *Multiple-occupancy commercial complex, general sign.* One sign, either a ground sign or a building sign, is permitted. A ground sign shall not exceed a sign area of 20 square feet, nor shall it be more than six feet in height above the ground. A building sign shall not exceed a sign area of 20 square feet, nor shall it exceed a height of ten feet above the ground.
 - (4) *Multiple-occupancy commercial complex, occupant signs.* One or more building signs, displayed on any exterior portion of the complex that is part of the occupant's unit (not including a common or jointly owned area), is permitted, not to exceed a total sign area of six square feet.

(d)

Any sign not complying with the requirements of this section is illegal and subject to immediate removal, except for those signs covered in section 66-252(b)(2)c.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-574. - Directional signs.

Directional signs limited in area to four square feet which give directions to motorists regarding the location of parking area and access to drives shall be permitted as permanent accessory signs on all parcels, and shall not be counted as part of an occupant's allowable sign area.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-575. - Signs at entrances to residential developments.

(a) *Generally.* A permanent accessory sign may be displayed at the entrance to residential development.

(b) *Restrictions.*

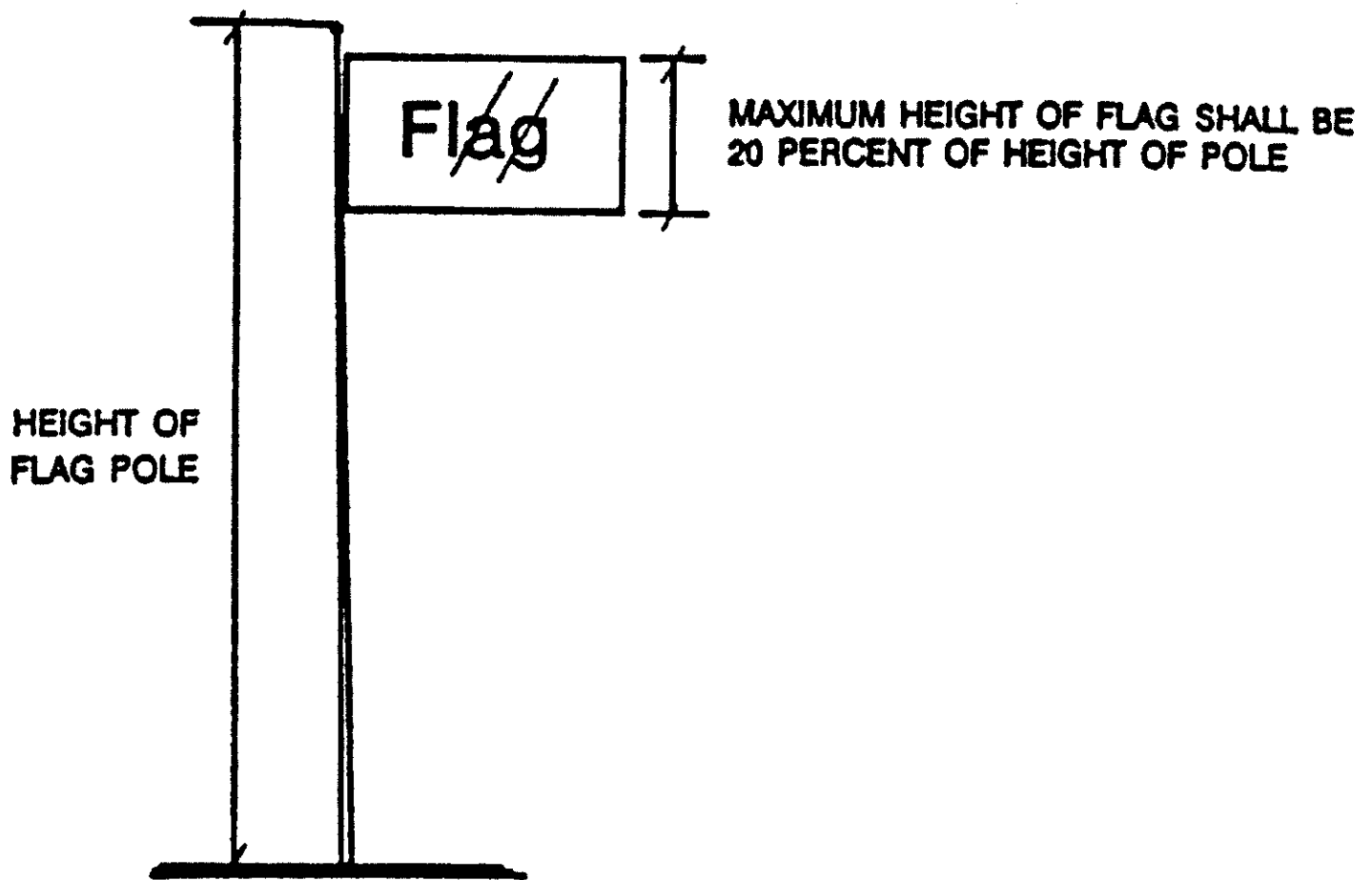
- (1) One sign is permitted at only one entrance into the development from each abutting street. The sign may be a single sign with two faces of equal size, or may be two single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed 20 square feet in size.
- (2) When reviewing the placement of such signs, the location of public utilities, sidewalks and future street widenings shall be considered.
- (3) Signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent owner's association or some other person who is legally accountable under a maintenance arrangement. If no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for their maintenance, the signs shall be removed by the town, and the developer or owner shall pay all cost of removal.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-576. - Flags.

(a) *Number.* Not more than three flags or insignias may be displayed on any one parcel of land.

(b) *Size.* The maximum distance from top to bottom of any flag shall be 20 percent of the total height of the flagpole, or, in the absence of a flagpole, 20 percent of the distance from the top of the flag or insignia to the ground. (See figure 2 following this section.)

FIGURE 2. FLAG SIZE*Figure 2—Flag Size*

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-577. Utility signs.

Public utility signs that identify the location of underground utility lines and facilities, high-voltage lines and other facilities and appurtenances are permitted so long as they do not exceed three feet in height and the sign face does not exceed one-half square foot.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-578—74-590. - Reserved.

DIVISION 3. - MEASUREMENT DETERMINATIONS

Sec. 74-591. - Sign area.

- (a) *Generally.* The area of a sign shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points or edges of the sign face.
- (b) *Special situations.*
 - (1) Where a sign is composed of letters or pictures attached directly to a facade, window, door or marquee and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest square, rectangle, parallelogram, triangle, circle or semicircle, the sides of which touch the extreme points of the letters or pictures. (See figure 3 following this subsection.)

FIGURE 3. AREA OF SIGN WITH LETTERS OR PICTURES ATTACHED DIRECTLY TO A WALL, WINDOW, DOOR, ETC. (WITHOUT A BORDER)

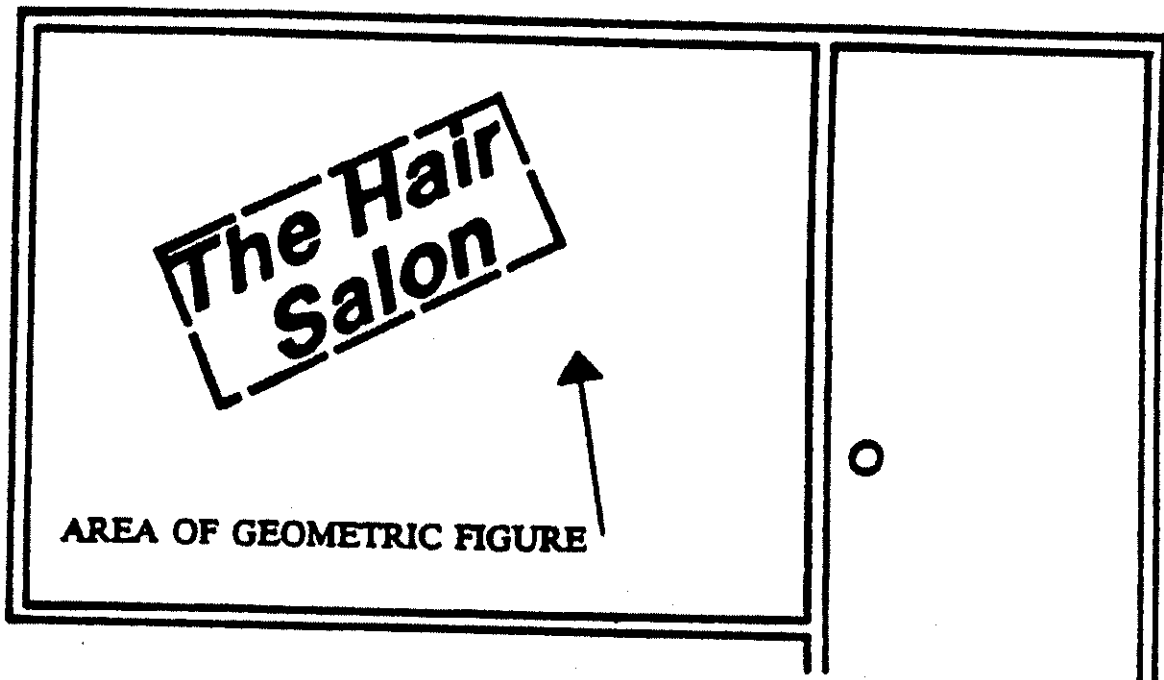


Figure 3—Area of Sign with Letters or Pictures Attached Directly to a Wall, Window, Door, etc. (Without a Border)

- (2) Where two sign faces are placed back to back on a single sign structure and the faces are at no point more than three feet apart, the area of the sign shall be counted as the area of one of the faces.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-592. - Number of signs.

- (a) *Generally.* Each noncontiguous sign face shall be counted as one sign.
- (b)

Special situations. Where two sign faces are placed back to back and are at no point more than three feet apart, they shall be counted as one sign.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-593. - Sign height.

The height of a sign shall be measured as the vertical distance from the finished grade at the base of the supporting structure to the top of the sign or its frame or supporting structure, whichever is highest.

(Ord. No. 399, § 1, 11-20-01)

Secs. 74-594—74-610. - Reserved.

DIVISION 4. - DESIGN, CONSTRUCTION AND LOCATION

Sec. 74-611. - Applicability of division.

All permanent signs must comply with the design, construction and location standards set out in this division.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-612. - Compliance with building and electrical codes.

All permanent signs and their illuminations shall be designed, constructed and maintained in conformance with applicable provisions of the building and electrical codes adopted by the town.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-613. - Illumination.

- (a) Sign lighting shall not be designed or located to cause confusion with traffic lights.
- (b) Illumination by floodlights or spotlights is permitted provided that no light shines directly onto an adjoining property or obstructs the vision of motorists or pedestrians using or entering a public street.
- (c) Illuminated signs shall not have lighting mechanisms that project more than 18 inches perpendicularly from any surface of the sign over public space.
- (d) Illumination of signs in commercial districts, hotel districts and golf course districts shall not be permitted between the hours of 8:00 p.m. and 8:00 a.m. However, if an entity illuminating a sign is open for business and operating, illumination of signs shall be allowed during those operating hours.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-614. - Placement.

- (a) *Placement near street and driveway intersections.* Signs located within a clear visibility triangle shall conform to the requirements of section 74-153.
- (b) *Placement in right-of-way.* Signs and support structures are to be posted not less than ten feet from the edge of a street, and shall not be posted on a public right-of-way or easement.
- (c) *Projection over right-of-way.* No sign shall project over a public right-of-way except as specifically authorized by this land development code.
- (d) *Blocking exits, fire escapes, etc.* No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit or standpipe.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-615. - Clearance.

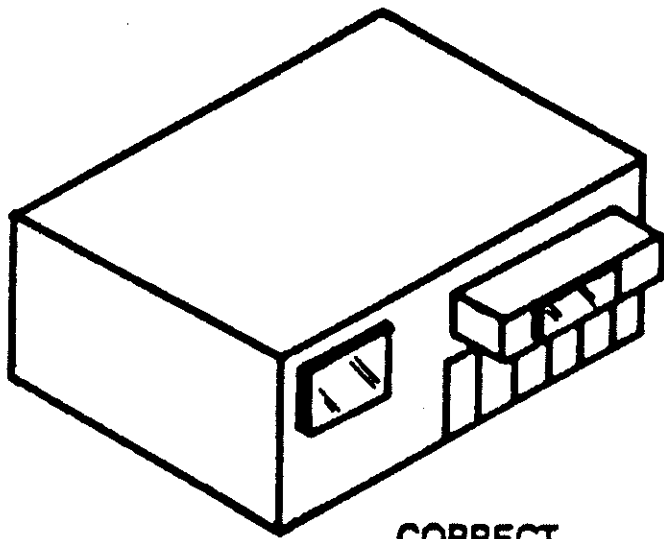
- (a) *Clearance over pedestrian ways.* All signs over pedestrian ways shall provide a minimum of seven feet six inches of clearance.
- (b) *Clearance over vehicular ways.* All signs over vehicular ways shall provide a minimum of 13 feet six inches of clearance.

(Ord. No. 399, § 1, 11-20-01)

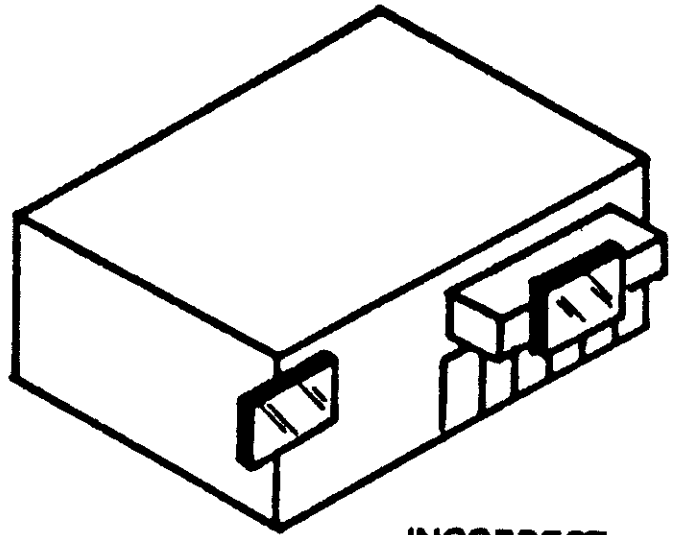
Sec. 74-616. - Relationship to building features.

A building sign shall not extend beyond any edge of the surface to which it is attached, nor shall it disrupt a major architectural feature of the building. (See figures 4 and 5 following this section.)

FIGURE 4. A BUILDING SIGN SHALL NOT EXTEND BEYOND ANY EDGE OF THE SURFACE TO WHICH IT IS ATTACHED



CORRECT



INCORRECT

Figure 4—A Building Sign Shall Not Extend Beyond Any Edge of the Surface to Which it is Attached

FIGURE 5. A BUILDING SIGN MAY NOT DISRUPT ARCHITECTURAL FEATURES OF THE BUILDING

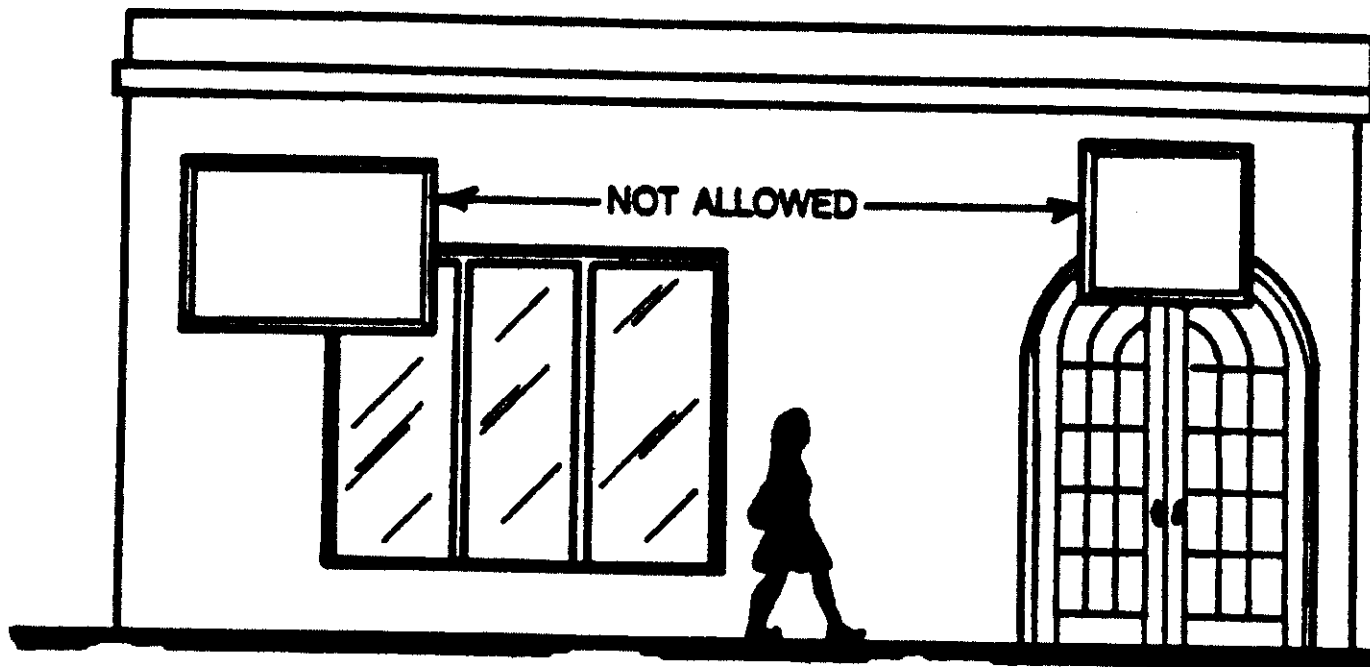


Figure 5—A Building Sign May Not Disrupt Architectural Features of the Building

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-617. - Projection of building signs.

A building sign may project no more than four feet perpendicularly from the surface to which it is attached.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-618. - Maximum window coverage.

The combined area of permanent and temporary signs placed on or behind windows shall not exceed 25 percent of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

(Ord. No. 399, § 1, 11-20-01)

Sec. 74-619. - Format for multiple-occupancy complexes.

Building signs for multiple-occupancy complexes constructed or remodeled after the effective date of this land development code shall conform to an approved sign format. The sign format shall be included as a submittal for authorization to erect such a sign, and shall be maintained on file by the town. The format shall be presented in a plan or sketch with written specifications in sufficient detail to enable the town manager to authorize signs based on the specifications. At a minimum, the sign format shall specify the types of signs and dimensions, not to exceed the size limits contained in this article, which will be permitted each occupant within the complex. The sign format shall also contain common design elements such as placement, color, shape or style of lettering which lend a unified appearance to the signs of all the occupants within the complex. The sign format may only be modified with the approval of the town manager upon submission of a revised plan and specifications detailing the revised format.

(Ord. No. 399, § 1, 11-20-01)

**TOWN OF BELLEAIR, FLORIDA
NOTICE OF APPEARANCE
FOR QUASI-JUDICIAL HEARINGS**

NOTICE OF APPEARANCE

I, Elena Petrova & Dr. Z. Karim, (individual or corporate representative), hereby file and serve notice of my appearance/lawyer or other appropriate representative's appearance, to present testimony and/or cross examine other witnesses at the quasi-judicial hearing to be held on Monday, September 12, 2016 at 5:30 P.M. and Tuesday, September 20, 2016 at 6:30 P.M.

I understand that upon filing this Notice of Appearance, I shall be considered a participant in the hearing, subject to a determination of standing if challenged.

Address of variance property 1501 Indian Rocks Road, Belleair, FL

Name: Elena Petrova

(Please Print)

Address: 1625 Golfview Dr. Belleair Fe
P.O. Box 23867 Tampa Fe 33623

RECEIVED
BELLEAIR TOWN HALL

AUG 29 2016

TIME REC. _____



Legislation Details (With Text)

File #: 16-0194 **Version:** 1 **Name:**
Type: Action Item **Status:** Public Hearing
File created: 8/15/2016 **In control:** Planning & Zoning Board
On agenda: 9/12/2016 **Final action:**
Title: Request for Variance 1612 Indian Rocks Road
Sponsors:
Indexes:
Code sections:
Attachments: [1612 Indian Rocks Road](#)

Date	Ver.	Action By	Action	Result
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Summary

To: Planning & Zoning
From: J.P. Murphy
Date: 9/12/2016

Subject:

Variance request for 1612 Indian Rocks Road

Summary:

The applicant is requesting 2 after the fact variances which would allow for a 2 car garage to encroach into the side and rear yard setbacks.

The first variance would allow for the 7.5' foot side yard setback be reduced by 5.3'ft resulting in a 2.2'ft side yard setback.

The second variance would allow for the 25.0' foot rear yard setback be reduced by 7.9'ft resulting in a 17.3'ft rear yard setback.

Previous Commission Action: N/A

Background/Problem Discussion: N/A

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Enter Recommendation

Proposed Motion Enter Text Here



TOWN OF BELLEAIR
BUILDING DEPARTMENT
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

MEMORANDUM

DATE: August 15th, 2016
TO: Mayor and Commissioners
FROM: Micah Maxwell, Town Manager
SUBJECT: Request for Variance –
Parcel No. 28/29/15/06732/031/0190

Property Owner: Agnes Green
1612 Indian Rocks Road
Belleair, Florida 33756

The following information is regarding the above referenced variance request.

- I. Existing conditions of land and structure(s):
 - A. Zoning designations: R-1 Single Family Residential
 - B. Original Construction date:
 - 1952
 - C. Structural and other improvements to date:
 - 2008- Roof replacement
 - 2007-Driveway replacement
 - 2006 Addition
 - D. Existing Easements: 5'Ft Utility Easement in Rear of Property

II. Proposed request:

The applicant is requesting 2 after the fact variances which would allow for a 2 car garage to encroach into the side and rear yard setbacks.

The first variance would allow for the 7.5' foot side yard setback be reduced by 5.3'ft resulting in a 2.2'ft side yard setback.

The second variance would allow for the 25.0' foot rear yard setback be reduced by 7.9'ft resulting in a 17.3'ft rear yard setback.



TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

VARIANCE

DATE 8/15/16

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, AGNES P. GREEN, owner of Lot 19
Block 31, Subdivision BELLEAIR ESTATES, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned R1
3. The present land use on the property is SINGLE FAMILY
4. The decision involves Article _____ Section 66-207 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: TO COMPLETE A GARAGE THAT IS ENCRACHING
ON THE MINIMUM YARDAGE SET BACK BY 7.7 FEET TO THE
REAR AND 2.5 FEET TO THE SOUTH
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): SEE ATTACHED
ADDENDUM
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit is produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: 300/-

RECEIVED
BELLAIR BLDG. DEPT.

AUG 15 2016

TIME REC. _____

Owner Agnes P. Green

Address 1618 Indian Rocks Rd

Telephone Number 404-310-4717



TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

VARIANCE APPLICATION CHECK OFF SHEET

Application shall be **fully completed** and must include the following information:

OWNERS NAME AGNES P. GREEN
OWNERS MAILING ADDRESS 1612 INDIAN ROCKS ROAD Belleair Fl 33756
PROPERTY ADDRESS 1612 INDIAN ROCKS RD BELLEAIR, FL 33756
PHONE NUMBER W) 727-216-6632 M) 404-310-4717
REPRESENTATIVE NAME AND ADDRESS (if any) _____

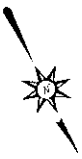
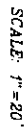
PHONE NUMBER _____
DATE OF ORIGINAL CONSTRUCTION BETWEEN JULY 6th - 8th
IMPERVIOUS COVER 50.6%
FLOOD ZONE AND ELEVATION _____

REQUIRED INFORMATION:

REQUIRED	RECEIVED	PROVIDE (18) COPIES EACH.
<u>X</u> <u>18</u>	_____	PLANS/SPECS/PRODUCT BROCHURE
<u>X</u> <u>18</u>	_____	PHOTOS OF AREA (straight/right angle/left angle)
<u>X</u> <u>18</u>	_____	SURVEY W/ SETBACKS SHOWN
<u>X</u> _____	_____	SITE PLAN W/ SETBACKS SHOWN

REVIEWED BY: ZONING PUB.WK FIRE BLDG. MRG.
DATE SENT: _____
DATE RETURNED: _____

SECTION 28, TOWNSHIP 29S., RANGE 15E.
PINELLAS COUNTY, FLORIDA



PREPARED FOR: AGNES P. GREEN

NOTE: EASEMENT SHOWN TAKEN FROM FINELAND COUNTY DEED BOOK 1085, PAGE 46

A SURVEY OF THE NORTH 1/2 FEET OF LOT 18 AND ALL OF LOT 13 AND THE SOUTH 21 FEET OF LOT 20, BLOCK 31, BELLEAIR ESTATES, AS RECORDED IN PLAT BOOK 18, PAGES 9-23, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

[illegible]

ADDENDUM

#7 The justification for the request for the variance

There are three (3) primary concerns that serve as a basis for the hardship variance request to build a structure in the rear of my home: (1) safety, (2) preservation of assets and (3) the desire to maintain my property within the standard of my neighborhood and the Town of Belleair.

SAFETY OF MY FAMILY: There are on occasion five (5) cars at my home making it virtually impossible to use the circular driveway. This has resulted in numerous near miss accidents because we have to back into the fast moving traffic on Indian Rocks Road. The most recent of those incidents occurred 2 months ago when my daughter was forced to drive into a neighbor's yard to avoid being hit by a car that increased its speed, and was traveling over 40 miles per hour on Indian Rocks Road. This has become a reoccurring problem, as the section of Indian Rocks Road that for our residence, is a straight stretch with no traffic controls between Poinsettia Road and Melenbacher Road.

PRESERVATION OF ASSETS: Our vehicles are being damaged by three (3) mature oak trees that flank both sides of the front yard. These trees must be preserved because of the historical and aesthetic value they bring to the street and the community. The residue from these trees are causing irreversible damage to the finish on our vehicles. Because of the positioning of these trees, there is virtually no place in the front circular area that is protected from the impact of the trees. A rear parking location is our only option.

MAINTAINING HIGH PROPERTY VALUE: Having to park multiple cars in the front of my home, detracts from the value of the neighborhood, the beauty of my home and could be perceived as becoming excessive when other family members are visiting my home. In addition when it becomes necessary to park between the side walk and the street to allow availability of the sidewalk for use by pedestrians, this poses another safety issue because cars oft times drive too close to the curb. A rear parking facility is the only option.

Respectfully submitted,

Agnes P. Green

TWO CAR
GARAGE
20' x 22'

DRIVE WAY
320 SF

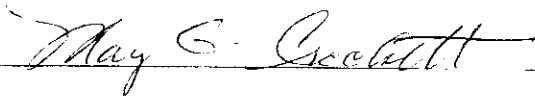


Mr. & Mrs. Denny Crockett
1611 Indian Rocks Rd
Belleair, FL 33756

To the town of Belleair:


We live across the street from the property at 1612 Indian Rocks Road where Dr. Agnes Green is requesting a variance for a two car garage. The purpose of this letter is to express our strong support of this variance request. Dr. Green has a strong relationship with her neighbors and the community. She has been an active and highly responsible home owner and maintains her home at a stellar level. This project will without a doubt enhance our beautiful neighborhood.

Please feel free to contact us if you have any questions as we strongly and openly support this variance request.
Sincerely,

 8/8/16

Signature

Mary Crockett

 8/8/16

Signature

Denny Crockett

To The Town of Belleair:

I am writing this letter in strong support of the request for a variance that has been applied for by Agnes Green to construct a garage in the rear of her home. I reside westward and to the rear of her home at 1615 Pinellas Road. This garage would not impose any harm to my home. I know this garage will be aesthetically pleasing, as is her home.

Please approve this variance request. Thank you for your time, attention and consideration for the approval of this variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Capelin", with a long horizontal flourish extending to the right.

Wendy Capelin

1615 Pinellas Rd.

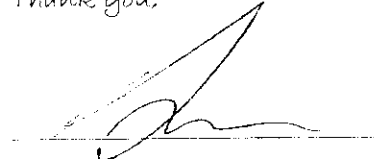
Belleair, FL 33756

1610 Indian Rocks Rd
Belleair, FL 33756


TO THE TOWN OF BELLEAIR:

We live next door to 1612 Indian Rocks Rd and are writing to offer our strong support for the variance request by Dr. Agnes Green. This garage will only enhance the beauty of our neighborhood as has her home; therefore we have no hesitation or concerns regarding the proposed variance.

Thank you,


Signature

William Green
Printed name


Signature

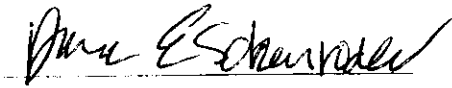
Kelly Green
Printed name

1609 Indian Rocks Rd
Belleair, FL 33756

TO THE TOWN OF BELLEAIR:

I live across the street from 1612 Indian Rocks Road. I am writing to support the variance request by Agnes Green . I feel this garage will only enhance the beauty of our neighborhood as has her home. I therefore have no hesitation regarding the proposed variance.

Thank you,

A handwritten signature in black ink, appearing to read "Dana Eschenroek", written over a horizontal line.

Signature

A handwritten signature in black ink, appearing to read "Dana Eschenroek", written over a horizontal line.

Printed name

To the Town of Belleair:

We are writing in support of the variance for the construction of a garage in the rear yard of Dr. Agnes Green's home at 1612 Indian Rocks Rd. We live next door (south) at 1614 Indian Rocks Rd. and it will not impose any harm to our property. Dr. Green is very conscientious about the appearance of her home and we know the garage would be as attractive as her home already is. Besides, we are delighted to see ^{our} neighborhood continue to improve. These are the things that make Belleair an attractive place to live.

Thank you,

Chris McGregor

Printed name

Anne McGregor

Printed name

Chris McGregor

Signature

Anne McGregor

Signature

LETTER OF SUPPORT

TO WHOM IT MAY CONCERN:

I am writing to express my full support of the variance request by Dr. Agnes Green at 1612 Indian Rocks Rd. to construct a garage in the rear of her home. I am the realtor that sold her that home 12 years ago. Since purchasing her home she has done a wonderful job transforming it into one of the most beautiful on Indian Rocks Rd. I know the garage will be just as beautiful as her home. I therefore have no concerns regarding the proposed construction.

Thank you kindly,

A handwritten signature in cursive script that reads "Irene Rue".

Irene Rue

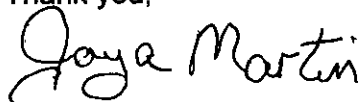
624 Pineland Rd.
Belleair, FL 33756

LETTER OF SUPPORT

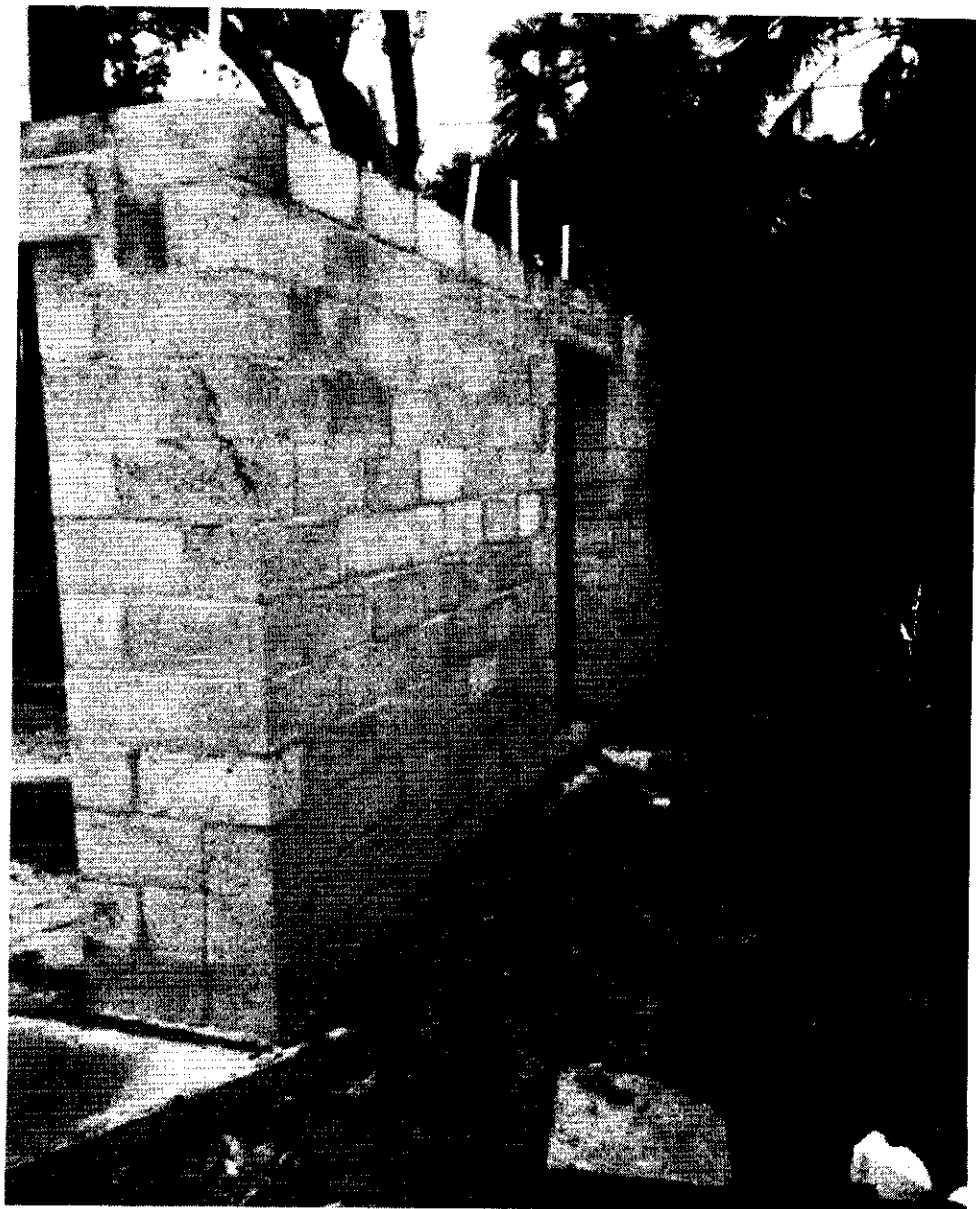
TO THE TOWN OF BELLEAIR:

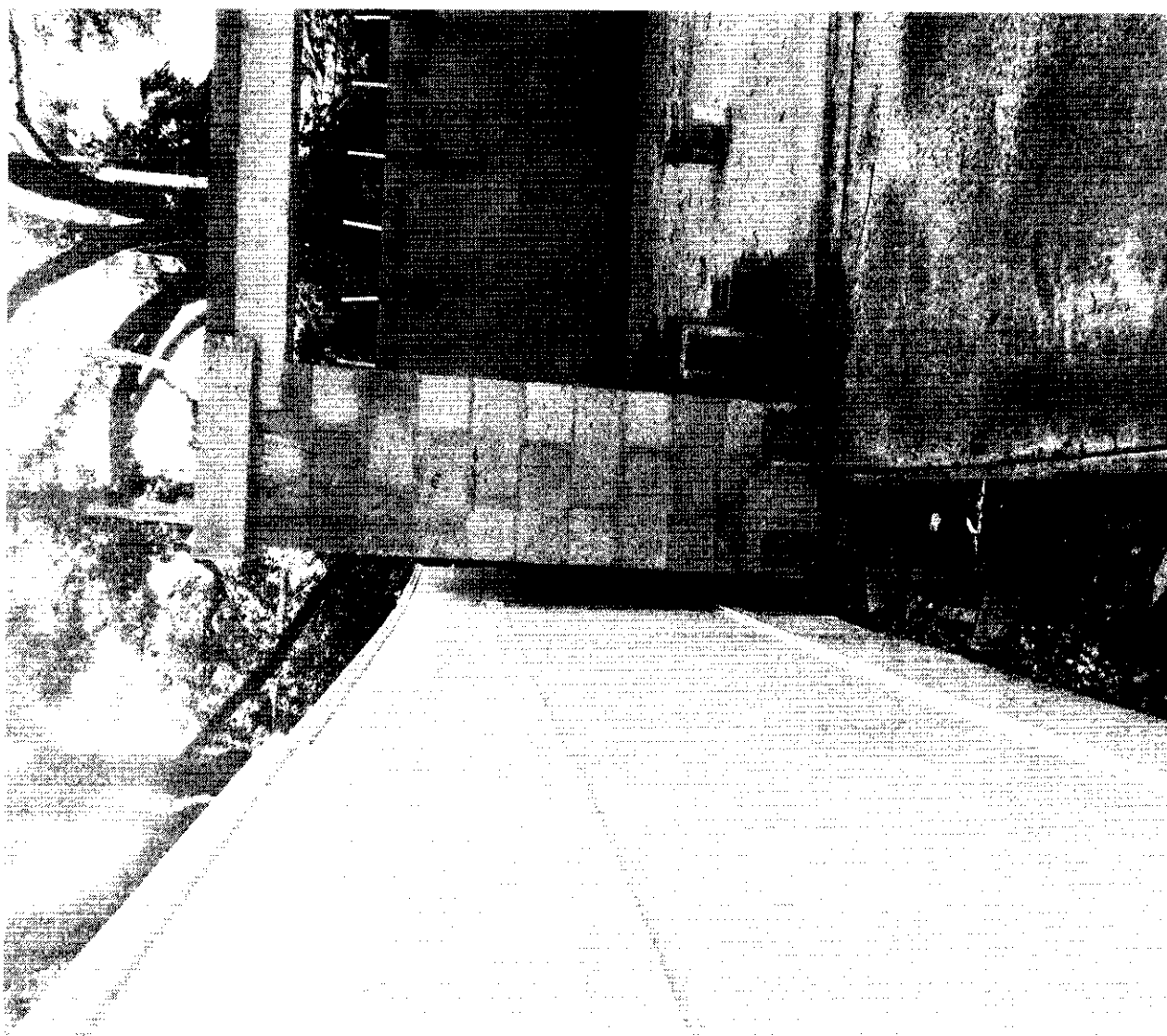
I am writing to express my support of the variance request by Agnes Green at 1612 Indian Rocks Rd. to construct a garage in the rear of her home. This structure would not have any negative effect on our neighborhood, it would only enhance it. Ms. Green is a very conscientious homeowner, taking great pride in her home's appearance. I therefore have no concerns regarding the proposed construction.

Thank you,

A handwritten signature in black ink that reads "Joya Martin". The signature is written in a cursive, flowing style.

Joya Martin
609 Pineland Ave.
Belleair, FL 33756







STOP WORK ORDER

7-28-16

DO NOT REMOVE CR

Stop all construction until items specified on this card have been complied with and approved by the Building Official

Address: 1612 Indian Rocks Rd

Date: 7-28-16 David Wilcox
Building Official

Town of Belleair Building Department

Violation: Structure in back needs to be permitted, need to verify setbacks for structure. STOP WORK UNTIL PERMITTED!



TOWN OF BELLEAIR BUILDING DEPARTMENT

901 PONCE DE LEON BOULEVARD, BELLEAIR, FLORIDA 33756
PHONE: (727) 588-3769 Ext. 215 • FAX: (727) 588-3768

July 29th, 2016

Ms. Agnes Green
1612 Indian Rocks Road
Belleair, FL 33756

RE: **"STOP WORK ORDER"**

Ms. Agnes Green
Parcel No. 28/29/15/06732/031/0190
1612 Indian Rocks Road
Belleair, FL 33756

Dear Ms. Green:

Please be advised that on July, 28th, 2016, a **"STOP WORK ORDER"** was issued for the above referenced property. Upon arriving at your property I noticed a large cement structure located in the rear of your residence. I observed the structure from the street, and noticed there was not a building permit issued for this structure. A building permit will be needed to perform the necessary inspections, and to be in compliance with the Florida Building Code and the Town of Belleair's code of ordinances for setbacks. Attached is a copy of the Town of Belleair's Code of Ordinance for setbacks and permitting requirements.

Should you have any further questions regarding this matter you may contact me at 727-588-3769 ext 315.

Sincerely

David Wilcox.
Building Official
Town of Belleair

Sec. 74-84. - Schedule of dimensional regulations.

The schedule of dimensional regulations for the various zoning districts is as follows:

District	<u>Lot Minimums</u>			Density Maximum Dwelling Units per acre	<u>Minimum Yard Setbacks⁶</u> <u>& 7</u>			Minimum Offstreet Parking per Dwelling Unit ¹	Maximum Height ³ (feet)	Flood Zones	Minimum Living Area per Unit ² (square feet)	Floor Area Ratio (FAR) ⁶
	Area (square feet)	Width (feet)	Depth (feet)		Front (feet)	Side (feet)	Rear (feet)					
RE	18,000	100	100	2	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	<u>34</u>	2,000	—
R-1	10,000	80	100	4	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	<u>34</u>	1,200	—
R-2	7,500	75	90	4	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	<u>34</u>	1,000	—
RM- 10 ⁵	5 acres	—	—	10	25	15 ⁴	25	1.5	32	<u>34</u>	1,500	—
RM-15	10,000	100	100	15	25	7.5 ⁴	15	1.5	32	<u>34</u>	1,000	—
RPD	5 acres	—	—	5	(See section 74-83)			1	32	—	1,200	—
H	17.5 acres	—	—	28	(See section 74-83)			1	32	<u>34</u>	300	0.4
C-1	12,000	100	100	None	25	12	10	1	32	<u>34</u>	N/A	0.35
C-2	10,000	80	100	None	25	12	10	1	32	<u>34</u>	N/A	0.35

C-3	10,000	80	100	None	25	12	10	¹	32	<u>34</u>	N/A	0.30
C-4	10,000	80	100	None	25	12	10	¹	32	<u>34</u>	N/A	0.5
GC	—	None	None	None	25	25	25		32	<u>34</u>	N/A	Town Commission Approval
C-5	10,000	None	None	None	10	5	10	¹	32	<u>34</u>	N/A	0.5
SPM	10,000	80	100	25	25	25	25	¹	32		N/A	0.30
PMU	17.5 acres		See <u>section 74-85</u> for standards applicable to the planned mixed use (PMU) district									
P	Town commission shall establish dimensional regulations for the public district consistent with the public land use of lands within this district. The dimensional regulations shall be based upon need for harmonizing public use of the land with necessity for protecting the public's safety, health and welfare by the use of such lands. However, in no case shall the floor area ratio exceed 0.65 for institutional uses or 0.70 for transportation/utility related uses.											

¹See article III, division 3, of this chapter, pertaining to Off-street parking regulations.

²Exclusive of garages, breezeways, porches and patios.

³The height regulations contained in this section shall mean 32 or 34 feet from grade to the highest finished roof surface in the case of a flat roof, or to a point at the midpoint of the highest sloped roof, except for chimneys, parapets, bell towers and elevator penthouses. In no case shall a structure exceed 45 feet in height except in a RPD or RM-10 zoned district. Building height limitations for flood zone area construction are as follows: Any property which is located within an area of special flood hazard as designated on flood hazard boundary map or a flood insurance rate map, shall measure the maximum height standard from the base flood elevation (BFE) of the flood zone the structure is located within. This shall not apply to any property located in the RPD district existing at the time of adoption of this land development code. See subsection 74-83 (a)(3) for special height bonus provisions for RM-10 district.

⁴See section 74-113.

⁵See subsection 74-83(a) for additional requirements for RM-10 district.

⁶For impervious surface ratio, see section 74-112.

⁷On waterfront lots, all buildings, including guest cottages and servants quarters, shall be set back a minimum of 20 feet from the mean highwater mark or the seawall.

⁸All setbacks are measured from property lines except as noted.

(Ord. No. 300, § III(2.02.04), 11-7-90; Ord. No. 318, § 5, 6-2-92; Ord. No. 328, § B(2.02.04), 8-3-93; Ord. No. 342, § 1, 11-2-93; Ord. No. 363, § 2, 3-19-96; Ord. No. 399, § 1, 11-20-01; Ord. No. 491, § 3, 4-15-14; Ord. No. 495, § 2, 4-1-14; Ord. No. 497, § 3, 6-17-14)

Sec. 66-207. - Contents of application; qualifications of applicant; fees; inspections.

- (a) *Applicability of section.* The provisions of this section shall be applicable to all construction, maintenance and repair activities undertaken within the municipal limits of the town.
- (b) *Work requiring permit; exceptions; payment of fee.*
 - (1) Except as provided in this section, no new construction, repair or maintenance activity shall be undertaken within the town unless there shall have been issued by the town a permit authorizing such activity and the established fee therefor has been paid. Further, no permanent sign, fence or fence wall shall be erected, nor shall any tree be removed, unless there shall have been issued by the town a permit authorizing such activity and the established fee therefor has been paid. A permit shall be issued only to the owner of the private property on which the work is to be performed or to the authorized representative of the owner. Work proposed in the public right-of-way of the town for the benefit of an abutting private property owner shall require a permit to be issued to the owner of the property to be served by the proposed construction, maintenance or repair.
 - (2) No development permit shall be issued unless there exists a valid development order for the project or unless the proposed work is exempt from the requirement for a development order as provided in section 66-203. The work authorized by a development permit shall not be changed, altered, modified or otherwise deviated from without first having obtained a modification of the original permit as provided for in section 66-204.
 - (3) A development permit shall not be required by owners of utilities franchised to operate in the town, if the construction, repair or maintenance activities are within the limits of public right-of-way and relate to facilities used in service to the residents of the town or neighboring communities in the county. A permit will be required for new construction activity on private property which is owned in fee by the franchised utility. New construction proposed to be undertaken within the limits of a public right-of-way by a franchised utility shall be subject to the issuance of a use permit through the office of the town manager. A use permit shall not be subject to payment of a fee.
- (c) *Qualifications of applicant.*
 - (1) A property owner may personally apply for and be granted a permit for construction activities involved on single-family residential property. However, if the activities proposed to be undertaken are activities which normally require special trade skills or licensing, as, for example, electrical work, plumbing work, elevator installation, structural framing, etc., the town building official shall require a demonstration or other showing of competency to perform the activity prior to issuing the requested permit.
 - (2) A property owner may designate a representative to apply for a development permit for activity on the owner's property. An owner's representative shall be designated in writing or other form satisfactory to the town building official. An acceptable written form will be a signed contract for

the work if issued to a general or specialty contractor qualified and licensed to perform work in the town.

- (3) The named applicant on a permit issued by the town shall be the permittee and party responsible for all work and activities conducted under the issued permit. The permittee shall be the sole party with whom the town will directly deal on matters relating to the permit or conduct of the work.
- (d) *Application information and forms.*
- (1) Applications for permits shall be made on forms furnished by the town. The town manager shall prescribe the form and content of information and data required to be furnished by the various types of permit applications. Nothing contained in this section, or on the application forms or on the issued permits, shall be deemed to waive any applicable provision of the construction standards adopted and incorporated by reference in section 66-8, or any superseding county, state or federal requirement.
- (2) Failure on the part of the applicant to provide all information required by the permit application form shall be cause for denial of the permit. In special circumstances, the town manager may waive specific information or data requirements, unless such information or data is specifically required by the town Code of Ordinances or other governing regulations. The town building official shall determine the adequacy of information and data provided on the application and the acceptability thereof.
- (3) The permit requirements and fees therefor included in this section are those of the town and are not to be construed as being the only permits that may be required or fees to be paid in connection with the proposed project. County, state and federal governments or agencies may hold jurisdiction over certain types of construction within the town, and those governments or agencies may require additional permits to be obtained. The town building department will make available to an applicant for a town permit such information as is on record regarding such additional permit requirements, but the town does not warrant that the information provided is totally inclusive of all requirements. It is the applicant's responsibility to ensure that all required permits have been obtained. The town building official shall not perform inspections to determine if work satisfies standards of any permitting agency other than the town. The town building department may withhold final project inspection or issuance of a certificate of occupancy where inspections known to be required, administered or approved by other agencies of jurisdiction have not yet been obtained.
- (e) *Fees generally; inspections.*
- (1) No construction, repair or maintenance activity of any type shall be undertaken until such time as the owner or authorized representative of the owner shall have submitted to the town an application, on a form supplied by the town, which sets forth in detail the activity intended to be undertaken. The town shall review the application to determine whether a permit is required or an inspection is required. Permits shall not be required for construction, repair or maintenance activities which have a direct cost, including labor, materials and services, of \$500.00 or less, and

are not otherwise subject to a building department field inspection for verification of structural, electrical, mechanical or plumbing adequacy. If the work proposed requires one or more inspections, but is below the threshold cost amount, a permit will be issued with the fee waived but there shall be a charge as provided in appendix B to this Code for each required inspection. Each permit application form shall specifically identify the inspections required under that permit. This subsection shall not apply to tree removal, the erection of permanent signs, and the construction or erection of fences and fence walls, which activities shall require a permit notwithstanding the cost of the labor, materials and services for such activities.

- (2) Permits shall not be required where the proposed work is limited exclusively to interior or exterior painting or repainting, wallpapering, recarpeting or replacement of other interior floor or wall coverings, or other cosmetic type reconstruction or repairs. The full value of such cosmetic type reconstruction or repair work shall, however, be included in the total construction cost used for fee determination when such work is included with other activities which require the issuance of a permit.
- (3) Circumstances where no permit is required, or where the fee for a permit has been waived, shall not be interpreted as a condition which waives any other requirement or standard of construction adopted by ordinance of the town.
- (4) For purposes of establishing the permit fee, valuation shall be based on the actual contract amount for all new construction, maintenance and repair activities, including, where applicable, removal of any existing structures, and all other work which is defined and authorized by the permit. Each permit application form shall include a space for certification by the owner or the authorized representative of the owner as to the cost of the work proposed. If the building official finds the amount certified to be out of line with comparable construction, a copy of the signed contract for the work may be required for permanent recording with the permit application documents. During the construction phase, if there are any deviations in construction from the plans and specifications which were approved by the town when granting the original permit, and the deviations add value to the structure, then the fee shall also be charged in connection with the additional value which results from the deviations. The additional fee shall be paid prior to the issuance of the certificate of occupancy for the structure. Before there is any deviation from the approved plans and specifications, the owner or authorized representative of the owner shall certify to the town, in writing, the value of the deviations. If the building official finds the amount certified to be out of line with comparable construction, the town may require that it be furnished with copies of change orders and related documents which support the value before accepting the value. If the permitted work is to be performed directly by the owner, and not by contract, the building official may apply appropriate valuation tables published by the Southern Building Code Congress or other similar nationally recognized organization to determine project value for permit fee calculation.
- (5) For project valuations in excess of \$500.00, the permit fee shall be as provided in appendix B to this Code.

- (6) Where multiple permits (defined work specialties) are issued at the same time, to the same applicant, as part of a single project, the following shall apply:
- The town building department shall determine the type of permits that apply to the work proposed to be undertaken. Where a project involves multiple disciplines and more than one type permit is required, it shall be the applicant's responsibility to break down the total costs into an acceptable cost distribution.
 - The cost associated with the work included on each specialized permit shall be used for determining the fee associated with that permit.
 - The administration fee shall be charged only for the principal permit associated with the project. The other permits fees shall be calculated at a percentage of the valuation of work included on that permit as provided in appendix B to this Code.
- (7) The permit fee paid is full payment for all town building department and administrative staff costs associated with pre-application assistance, plan reviews, technical matters conferences, permit processing, performance of required standard periodic and final inspections, and issuance of certificates of occupancy. The permit fees paid do not include fees payable for reinspection of previously failed work, extra inspections resulting from contractor failure to have work ready for a scheduled inspection, special inspections or scheduling specifically requested by the contractor.
- (f) *Extra inspections; special inspections; reinspections.*
- (1) Standard inspections are those inspections which are to be performed by the town and which are specifically identified on the permit forms applicable to the project. The costs involved in the performance of standard inspections are included in the original fee paid for the development permit. All standard inspections will be performed during the normal inspection hours of the particular town department involved in the inspection. A standard inspection shall be requested by the permittee no later than 12:00 noon, on the workday preceding the workday on which the inspection is requested. An inspection requested after the deadline shall be considered an expedited inspection request. Expedited requests will be handled by the town whenever possible, but the inspection shall be considered a special inspection and shall be subject to the special inspection charge provided for in this section.
- (2) Extra inspection, specially scheduled inspection and reinspection are defined, and fees therefor established, as follows:
- A reinspection is an inspection which is necessary to verify that previous inspection deficiency has been corrected. The previous inspection must have resulted in the issuance of an inspection deficiency and correction report or required a special trip by inspecting personnel to the construction site. The inspection deficiency report shall specify whether a reinspection is necessary. The fee for a reinspection shall be as provided in appendix B to the Code.
 - An extra inspection is one which is required because of failure of the contractor or subcontractor have work ready for inspection at the time requested and scheduled. The fee for an extra inspection shall be as provided in appendix B to this Code.

c. A special inspection is one which is not identified on the permit application to be performed by the town but is specifically requested by the permittee, or is a standard inspection which is requested on an expedited basis or at other than normal working hours. When requested by the permittee, a special inspection may be provided by the building department. The fee for a special inspection shall be as provided in appendix B to this Code.

(3) Unscheduled inspections of work under permit by the town may be performed at any time by town inspection personnel to ensure that projects are proceeding in accordance with permit conditions and all provisions of the town Code of Ordinances are being satisfied. Unscheduled inspections may serve as, or be in addition to, standard inspections. There shall be no additional charge to the permittee for unscheduled inspections.

(4) Where additional charges have been incurred because of the performance of reinspections, special inspections or extra inspections, the fees therefor shall be paid to the town by the permittee before any further inspections are performed on the project and before the finished work receives town approval.

(g) *Unauthorized work; double fee when work commenced without permit.*

(1) Any construction, repair or maintenance activity which requires a permit under this section, and which is undertaken without having first secured a permit therefor, shall be halted immediately by the an official of the town, and no additional work, or activity in abandonment of already completed work, shall begin until a fee is paid for a permit, issued after the fact. An after-the-fact permit fee shall be twice the fee amount that would have been applicable to a normally processed permit.

(2) If any construction, repair or maintenance activity is undertaken which is beyond the scope of an original or modified permit issued previously by the town building department, the work shall be halted, and neither the permitted work nor the unauthorized work shall again proceed until an after-the-fact permit is issued for the unauthorized work.

(Ord. No. 304, § B, 4-16-91; Ord. No. 399, § 1, 11-20-01)

TOWN OF BELLEAIR

901 PONCE DE LEON BOULEVARD
BELLEAIR, FLORIDA 33756

Ms Agnes Green
1612 Indian Rocks Road
Belleair, FL 33756

Hasler

08/01/2016

US POSTAGE

\$00.46

FIRST-CLASS MAIL



ZIP 33756
011D11632962



Legislation Details (With Text)

File #: 16-0192 **Version:** 1 **Name:**
Type: Action Item **Status:** Public Hearing
File created: 8/15/2016 **In control:** Planning & Zoning Board
On agenda: 9/12/2016 **Final action:**
Title: Request for Variance 1 Country Club Lane (Parcel No. 21/29/15/06480/000/0313)
Sponsors:
Indexes:
Code sections:
Attachments: [Memo- Application for Buffer Variances](#)
[1 Country Club Lane](#)

Date	Ver.	Action By	Action	Result
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Summary

To: Planning & Zoning
From: J.P. Murphy
Date: 9/12/2016

Subject:

Variance request for 1 Country Club Lane

Summary:

The applicant is requesting a variance for the landscape buffer between 2 different zoned properties be waived. Please see applicant plans for reference of what is being purposed.

Previous Commission Action: N/A

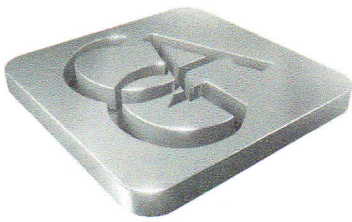
Background/Problem Discussion: N/A

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Enter Recommendation

Proposed Motion Enter Text Here



Building Code Services
Coastal Engineering
Code Enforcement
Construction Engineering
and Inspection
Construction Services
Contract Government
Data Technologies
and Development
Emergency Management
Services
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GSA Contract Holder

Feather Sound
Corporate Center
13535 Feather Sound Dr.
Suite 135
Clearwater, FL 33762
727.394.3825 phone

www.cgasolutions.com

MEMORANDUM

TO: Town of Belleair
Planning and Zoning Board
and
Mayor and Town Commission

FROM: David Healey, FAICP 
Calvin, Giordano & Associates

THROUGH: Micah Maxwell, ICMA - CM
Town Manager

SUBJECT: Application for Variances to Landscape/Buffer
Requirements for Belleair Country Club
Parking Lot - Phase I

DATE: September 6, 2016

Background

In conjunction with the acquisition and development of the Belleview Place and Inn project, a portion of the original Belleview Biltmore Hotel site adjacent to the Belleair Country Club was acquired by the Country Club.

This 2.325 acre parcel that has, in part, been used for unimproved overflow parking by the Country Club is classified Commercial General on the Future Land Use Map and zoned Hotel (H) on the Zoning Map.

With the acquisition of this parcel, the Country Club proposes to redesign its current parking lot/entrance on the north side of the Clubhouse between the Clubhouse and the Belleview Blvd. entrance to the Belleview Place and Inn project.

This parking lot/entrance redesign is proposed to be undertaken in two phases. Phase I will redesign the access drive and parking lot immediately north of the Clubhouse to provide for a loop drop-off drive and golf cart parking area and seven (7) parking spaces - a reduction of thirty (30) spaces in Phase I. Phase II will then propose to add 151 parking spaces and be designed to extend and fully integrate with Phase I. The resultant improvement of Phase I and II, when complete, will provide a net addition of 121 parking spaces to the existing 315, for a total of 436 spaces, on the Country Club complex.

A copy of the application and accompanying site plan prepared by Deuel and Associates and landscape plan prepared by Phil Graham, Landscape Architecture, received on August 12, 2016 have been provided to the Planning and Zoning Board for your review and recommendation, and to the Town Commission for their determination and action.

Please see in particular the applicants' justification for the requested variance in response to Item 7. on the Town's application form.

Summary Description of Requested Variance

The variance request is to allow the Phase I parking improvements to be approved absent the otherwise required landscape buffer requirements between the newly acquired 2.325 parcel zoned Hotel (H) and the previously existing Country Club property zoned RPD.

Chapter 74, Article III, Division 6, Section 74-232, Required Landscaping, requires a "Type A" buffer between a Hotel zoning district and golf course use. The "Type A" buffer as set forth in Section 74-232 (b) would require a landscape buffer ranging from ten (10) to twenty (20) feet wide, depending on the number, type and intensity of the plant materials included.

The applicant has indicated that the purpose of seeking approval for Phase I in advance of Phase II is to allow construction to begin immediately, while they complete plans and permitting for Phase II. In this instance, the zoning district line that is coterminous with the newly acquired parcel is in a portion of the parking aisle that divides Phase I and II of the parking lot improvements. The landscape buffer requirement intended to provide a transition between distinct zoning districts would, in this case, serve only to somewhat artificially separate the Phase I and Phase II parking requirements. Further, the requirements for this separation buffer between zoning districts would be eliminated in the event that the Country Club ultimately applies for and receives approval to reclassify the newly acquired 2.325 acre parcel from Commercial General (CG) and Hotel (H) to Recreation/Open Space (R/OS) and Residential Planned Development (RPD) to integrate it with the rest of the golf course property.

Compliance with Section 74-232 (b) (7) relative to landscape requirements between the vehicle use area and the Clubhouse structure is shown on the accompanying landscape plan. Compliance with Section 74-232 (a) relative to the internal landscape requirements for vehicle use areas will be determined and addressed as a function of review and approval of the plan for Phase II of the project.

Applicable Criteria and Related Considerations

The process and criteria for consideration of the requested variances is governed by Article V, Variances, Nonconformities and Hardship Relief, Section 66-251 and 66-253. 7

Section 66-251, Purpose of Division, states that *"The purpose of this division is to provide mechanisms for obtaining relief from the provisions of this land development code where hardship would otherwise occur."*

Section 66-253, Variances, grants authority to the Town Commission, *"Where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the provisions of this land development code, the town commission shall have the power in specific and appropriate cases, and after due notice and a public hearing, to grant upon petition such variance from or exception to the terms of this Code as may not be contrary to the public interest and in order that substantial justice may be done.."*

The criteria for granting variances are included in Section 66-253 (b) 1. - 6. as follows:

(b) *Criteria for granting; conditional approval; expiration of approval.*

(1) *Initial determination.*

- a. *Before granting any variance, the town commission shall determine that:*
 1. *Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*
 2. *The special conditions and circumstances do not result from actions of the applicant.*
 3. *Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*
 4. *The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.*
 5. *A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*
 6. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (section 74-82 of this Code) for the zoning district in which the property is located.*

It is the applicant's responsibility to establish that the application for variance(s) addresses and satisfies the applicable criteria.



Summary

The Planning and Zoning Board's role is to assess the relative merits and eligibility of the requested variances in relationship to the requirements of the Code and provide an advisory recommendation to the Town Commission. It is ultimately the Town Commission's purview to weigh the application against the requisite criteria and make a finding and determination with respect thereto.

The Commission may approve, deny, or approve with conditions, the request for variance(s).

The guiding principles for the Commission in rendering its decision are found in the purpose statement for variances identified above that gives the Town Commission the power to grant variances *..where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the Code.....that are not contrary to the public interest and in order that substantial justice maybe done.....*

Among the considerations to be evaluated by the Board and Commission relative to the justification for elimination of the landscape/buffer requirement between the Hotel (H) and RPD zoning districts, in relationship to the specified criteria, is the following:

- **The special conditions or circumstances that warrant waiver of this requirement.**



TOWN OF BELLEAIR
BUILDING DEPARTMENT
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

MEMORANDUM

DATE: August 12, 2016

TO: Mayor and Commissioners

FROM: Micah Maxwell, Town Manager

SUBJECT: Request for Variance –
Parcel No. 21/29/15/06480/000/0313

Property Owner: Belleair Country Club
1 Country Club Lane
Belleair, Florida 33756

The following information is regarding the above referenced variance request.

I. Existing conditions of land and structure(s):

A. Zoning designations: H-Hotel

B. Original Construction date:

- 1976

C. Structural and other improvements to date:

- 2016- Tennis Courts Refurbishment
- 2016- Pickle Ball Court(s)
- 2015- New turf care building

D. Existing Easements: None Shown on plans

II. Proposed request:

The applicant is requesting a variance for the landscape buffer between 2 different zoned properties be waived. Please see applicant plans for reference of what is being purposed.



TOWN OF BELLEAIR

901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

DATE 8/12/16

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, _____, owner of Lot See plans for legal description
Block _____, Subdivision _____, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned Hotel (H).
3. The present land use on the property is Parking Lot.
4. The decision involves Article _____ Section 74-232 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: A "Type A" landscape buffer is required between the parcel with the Hotel (H) zoning
designation and the parcel with the Golf Course use. A waiver to this buffer requirement is being requested.
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): the two parcels of land serve as the parking
lot for the Belleair Country Club. Although they have different zoning designations, the use and ownership is the same.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit id produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: \$300.00

Owner

ONE COUNTRY CLUB LANE

Address

BELLEAIR FL 33756

Telephone Number 727 461 7171

BUILDING CHARACTERISTICS				3855 Regulation, PAR 3 Golf Course				** VALUE SUBJECT TO CHANGE **			
QUALITY											
CATEGORY	TYPE	%	PTS								

BUILDING CHARACTERISTICS				3855 Regulation, PAR 3 Golf Course				** VALUE SUBJECT TO CHANGE **			
QUALITY											
CATEGORY	TYPE	%	PTS								
Pinellas County Property Appraiser Office											
VALUE SUMMARY											
PRIOR JUST MARKET VALUE				761,323							
CURRENT JUST MARKET VALUE				761,323							
ASSESSED VALUE				761,323							
HX/HX CAP BASE YEAR				0							
TAXABLE VALUE				761,323							
HX				No							
% HX				0.00							
TOT EXEMPTIONS VALUE				0							
PERMIT				TP ST				EST VAL ISSUE DATE			

TOTAL LIVING UNITS				0			
DEPRECIATION ADJ				0			
EXTERNAL OBSOLESCENCE				0.0000			
EXTERNAL OBSOLESCENCE				0.0000			
OTHER				0.0000			
TYPE				HX/HX			
RCND				YB			
0				EA			
SAR				2016			

BUILDING: 0											
BUILDING NOTES											

L. OFFICIAL				N. BOOK				PAGE				DATE OF SALE				INSTR				Q. V. I. REASON				SALES PRICE				M. SELLER				BUYER				SALES NOTE			
1				18465				0062				7/9/2014				DD				Q				900000				N BB HOTEL, LLC				BELLEVUE BILTMORE							

TAXING DISTRICT														BL JUST VALUE SF				0.00			
L. EXTRA				BX				HX													
N. FEATURE				DESCRIPTION				BD				NHX									
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21-29-15-06480-000-03**Compact Property Record Card****Updated****August
12,2016**[Portability
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[Se](#)

Ownership/Mailing Address Change Mailing Address	Site Address
BELLEVUE BILTMORE COUNTRY CLUB CORP 1 COUNTRY CLUB LN BELLEAIR FL 33756- 2070	0 BELLEVUE BLV BELLEAIR

Property Use: 3855 (Regulation, PAR 3 Golf Course)[\[click here to hide\]](#) **Legal Description**

BELLEAIR REPLAT PT OF TRACT C COM
 TRACT C TH S38D06' 30"W 309.11FT TH CUR
 ARC 67.65FT CB S77D43'10"W 66.20FT TH
 318.61FT ARC 61.72 FT CB N80D10'16"W
 S00D48'40"W 13.64FT FOR POB TH S00D48'40"
 S84D27'25"W 135FT TH S89D48'47"W 326.75FT
 70.95FT TH S89D45'12"W 162.56FT TH N00D21'
 S89D30'32"E 394.37FT TH CUR LT RAD 368FT
 N80D37'14"E 113.72FT TH CUR RT RAD 161.50'
 CB S89D03'05"E 106.31FT TH CUR LT RAD 30'
 CB S71D06'53"E 13.40FT TO POB PER C

**File for Homestead
Exemption****2016**

Exemption	2016	2017	
Homestead:	No	No	Homestead U 0.00%
Government:	No	No	Non-Homes Percentage:
Institutional:	No	No	Classified A
Historic:	No	No	

**Parcel Information Latest Notice of Proposed
(TRIM Notice)****Evac**



Legislation Details (With Text)

File #: 16-0195 **Version:** 1 **Name:**
Type: Action Item **Status:** Public Hearing
File created: 8/16/2016 **In control:** Planning & Zoning Board
On agenda: 9/12/2016 **Final action:**
Title: Variance for Belleview Place Temporary Signs
Sponsors:
Indexes:
Code sections:
Attachments: [Memo-Variance Application Temp. Signs No. 1-3](#)
[BCC-Belleview Place Temp Sign Variance](#)
[Memo-Variance Application Temp. Sign No. 4](#)
[Belleview Place Temp Sign Variance](#)

Date	Ver.	Action By	Action	Result
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Summary

To: Planning & Zoning
From: J.P. Murphy
Date: 9/12/2016

Subject:
Variance for Belleview Place Temporary Signs

Summary:
See attached memos from David Healey.
Previous Commission Action: N/A
Background/Problem Discussion: N/A
Expenditure Challenges N/A
Financial Implications: N/A
Recommendation: N/A
Proposed Motion Move approval/denial of the variance request for Belleview Place temporary signs.



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GSA Contract Holder

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13535 Feather Sound Dr.
Suite 135
Clearwater, FL 33762
727.394.3825 phone

www.cgasolutions.com

MEMORANDUM

TO: Town of Belleair
Planning and Zoning Board
and
Mayor and Town Commission

FROM: David Healey, FAICP 
Calvin, Giordano & Associates

THROUGH: Micah Maxwell, ICMA - CM
Town Manager

SUBJECT: Application for Sign Variances
By Belleair Country Club, for and on
behalf of JMC Communities, Inc., Agent

DATE: September 6, 2016

Background

As part of the Belleview Place redevelopment project on the former Belleview Biltmore Hotel property, JMC Communities and the Belleair Country Club have proposed temporary on-premises sales/directional signage as a means of directing interested parties to their sales center.

These temporary sales/directional signs are in addition to the variances for permanent signs for the Country Club and JMC, Inc. considered by the Planning and Zoning Board on July 11, 2016 and approved by the Town Commission on July 19, 2016; and the temporary sign proposed on the Belleview Place property on this same agenda.

A series of three (3) temporary off-premise signs are proposed on Belleair Country Club property - each of which necessitates one or more variances from the strict application of the Town of Belleair Land Development Code pertaining to signs.

The three (3) signs proposed for the Belleview Place project to be located on the Belleair Country Club property are at Ft. Harrison Ave. and Belleview Blvd. (2 signs), and Alexander Rd. and Druid Rd. (1 sign) respectively.



A copy of the application and accompanying sign plan prepared by Phil Graham Landscape Architecture received on August 15, 2016 has been provided to the Planning and Zoning Board for your review and recommendation, and to the Town Commission for their determination and action.

Please see in particular the applicants' justification for the requested variances in response to Item 7. on the Town's application form.

Summary Description of Requested Variances

A summary outline of each proposed sign and the nature of the variance requested is set forth below:

Temporary Signs #1 and 2 - Are proposed to be located at the northwest corner of Ft. Harrison Ave. and Belleview Blvd. (Parcel No. 21-29-15-06480-000-0100) on property zoned RPD, Residential Planned Development, to permit two (2) temporary off-premise signs for Belleview Place, with each of the two signs located adjacent to the existing Belleair Country Club sign.

The proposed sign structures are to consist of painted white PVC posts measuring 6 feet in height, plus a decorative cap, with each sign measuring 20 square feet. The sign structure and each sign face comply with the Town's sign regulations for sign size and height in the RPD district.

The proposed setbacks are eight (8) feet from the right-of-way for South Ft. Harrison Ave. and Belleview Blvd. respectively; whereas a ten (10) feet setback is required in each instance.

The variances required for each of these two signs are as follows:

- A variance to Chapter 74, Section 74-572 (b) which states in part "Temporary off-premise signs for the purpose of providing direction or advertising a sale or event are prohibited."
- A variance to Chapter 74, Section 74-572 (c) which states that "Temporary signs and support structures are to be posted not less than ten (10) feet from the edge of a street and shall not be posted on or over a public right-of-way or easement."

In summary the request for Temporary Signs #1 and 2 are to allow two (2) temporary off-premise signs not otherwise permitted, and to allow an eight (8) feet setback from each of the two rights-of-way where ten (10) feet is required - variances of two (2) feet for each sign.

The variance for Temporary Signs #1 and 2 is proposed "during the selling phase of the new Belleview Place community".



Temporary Sign #3 - Is proposed to be located at Alexander Rd. and Druid Rd. (Parcel No. 21-29-15-06462-075-0100) on property zoned R-1, Single Family Residential, to permit one (1) additional temporary off-premise sign in an R-1 zoning district for Bellevue Place adjacent to the existing Country Club sign.

Temporary Sign #3 is identical in size, height and design to signs #1 and 2.

The variances required for Temporary Sign #3 are as follows:

- A variance from Chapter 74, Section 74-572 (b) that prohibits temporary off-premise signs;
- A variance from Chapter 74, Section 74-572 (c) to allow a setback from the right-of-way of Druid Road of 0.5 ft. and from Alexander Rd. of 8.3 ft., where ten (10) feet is required in each instance;
- A variance from Chapter 74, Section 74-572 (e) (1) which limits the size and height of signs in the R-1 district "on which a one-family or two-family residence is located"¹ "to five (5) square feet in size and four (4) feet in height", to allow a sign of twenty (20) square feet and six (6) feet in height.

In summary, Temporary Sign #3 requires variances to (1) allow for the off-premise temporary sign; (2) to allow less than the (10) feet required setback from each of the two rights-of-way; and (3) to allow for a size and height greater than otherwise permitted in the R-1 zoning district (See footnote 1).

The time period requested for this third temporary off-premise sales/directional signs is to allow such sign to be placed "during the selling phase of the new Bellevue Place community".

Applicable Criteria and Related Considerations

The process and criteria for consideration of the requested variances is governed by Article V, Variances, Nonconformities and Hardship Relief, Section 66-251 and 66-253. 7

Section 66-251, Purpose of Division, states that *"The purpose of this division is to provide mechanisms for obtaining relief from the provisions of this land development code where hardship would otherwise occur."*

Section 66-253, Variances, grants authority to the Town Commission, *"Where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the provisions of this land development code, the town commission shall have the power in specific and appropriate cases, and after due notice and a public hearing, to grant upon petition such variance from or exception to the terms of this Code as may not be contrary to the public interest and in order that substantial justice may be done.."*

¹ Note: It is noted that this language which applies to the R-1 district appears to limit its applicability to properties on which a residence is located. Since there is no residence on the property in question, this subsection may not be applicable.



The criteria for granting variances are included in Section 66-253 (b) 1. - 6. as follows:

(b) *Criteria for granting; conditional approval; expiration of approval.*

(1) *Initial determination.*

a. *Before granting any variance, the town commission shall determine that:*

1. *Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*
2. *The special conditions and circumstances do not result from actions of the applicant.*
3. *Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*
4. *The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.*
5. *A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*
6. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (section 74-82 of this Code) for the zoning district in which the property is located.*

It is the applicant's responsibility to establish that the application for variance(s) addresses and satisfies the applicable criteria.



Summary

The Planning and Zoning Board's role is to assess the relative merits and eligibility of the requested variances in relationship to the requirements of the Code and provide an advisory recommendation to the Town Commission. It is ultimately the Town Commission's purview to weigh the application against the requisite criteria and make a finding and determination with respect thereto.

The Commission may approve, deny, or approve with conditions, the request for variance(s).

The guiding principles for the Commission in rendering its decision are found in the purpose statement for variances identified above that gives the Town Commission the power to grant variances *..where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the Code.....that are not contrary to the public interest and in order that substantial justice maybe done.....*

Among the considerations to be evaluated by the Board and Commission relative to the justification for temporary off-premise sales/directional signage, in relationship to the specified criteria, are the following:

- The special conditions or circumstances that warrant such signs;
- The number of proposed signs;
- The size of the sign in the R-1 district if the more restrictive size limitation in the R-1 district is determined applicable;
- The location of the sign relative to their setbacks; and
- The time period applicable to the signs.



TOWN OF BELLEAIR
RECEIVED
BELLAIR BLDG. DEPT.
1901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768
AUG 15 2016

TIME REC. _____

VARIANCE

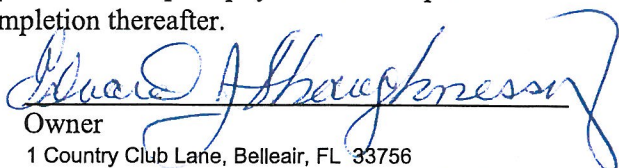
DATE August 12, 2016

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Belleair Country Club, owner of Lot Parcel #21-29-15-06480-000-0100 and
Block _____, Subdivision Parcel #21-29-15-06462-075-0100, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned RPD and Single Family Residential (R-1) respectively.
3. The present land use on the property is Recreation Open Space and Single Family Residential.
4. The decision involves Article IX Section 74-572 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: Variance to allow temporary signage during the selling phase
of the new Belleview Place community per the attached supplement and plan.
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): The Belleair Country Club (a 250+
acre property) desires to allow Belleview Place, a new residential community to install temporary signage as shown on
the attached plan to provide for identity and directional signage for public access to sales center.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**))
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit id produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: _____


Owner
1 Country Club Lane, Belleair, FL 33756

Address
727-461-7171
Telephone Number

VARIANCE REQUEST SUPPLEMENT

Signs and Locations

Sign #1.:

Location: Ft. Harrison & Belleview Boulevard

Parcel #: 21-29-15-06480-000-0100

Zoned: RPD

Land Use: Recreation Open Space

Variance: Section 74-572 to allow two (2) 5' x 4' temporary sign for Belleview Place in this location until completion of sales at Belleview Place, or until January 1, 2021 whichever shall first occur. When the permanent brick signage is constructed, the location of the temporary signs will be adjusted as necessary.

Sign #2 :

Location: Alexander Road and Druid Road

Parcel #: 21-29-15-06462-075-0100

Zoned: Single Family Residential (R-1)

Variance: Section 74-572 to allow one (1) 5' x 4' temporary sign for Belleview Place in this location until completion of sales at Belleview Place, or until January 1, 2021 whichever shall first occur.

OWNER

JMC COMMUNITIES
2201 4th St. N #200
St. Petersburg | FL 33704
727.823.0022

BELLEVIEW INN & PLACE
BELLEAIR COUNTRY CLUB
TEMPORARY SALES SIGNAGE

BELLEAIR | FLORIDA

SIGNATURE & SEAL

FL Registration: LC2600478

SIGNAGE EXHIBIT

ISSUE DATE

1 SUBMITTAL 08.12.16

REVISIONS

SHEET INFORMATION

DATE 08.12.16

JOB NUMBER 14005

DRAWN BY FS

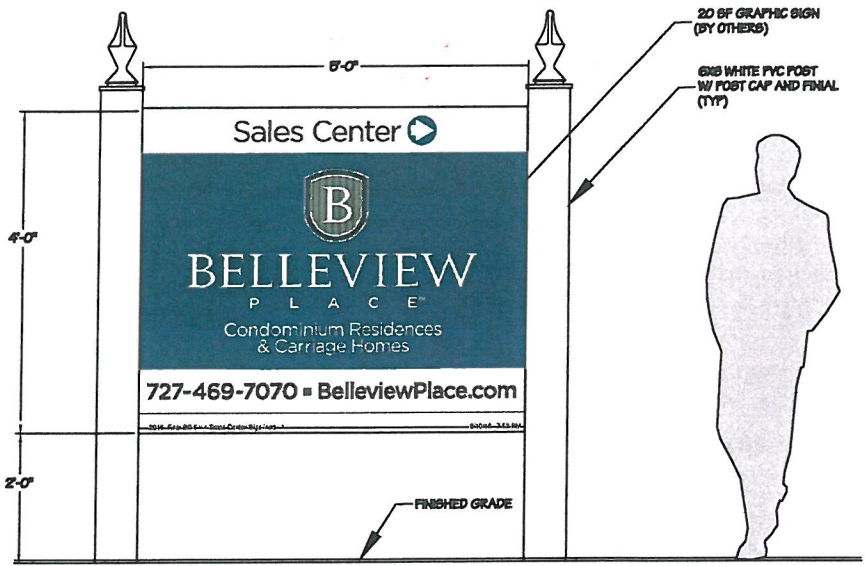
CHECKED BY PGIV

SCALE: NTS



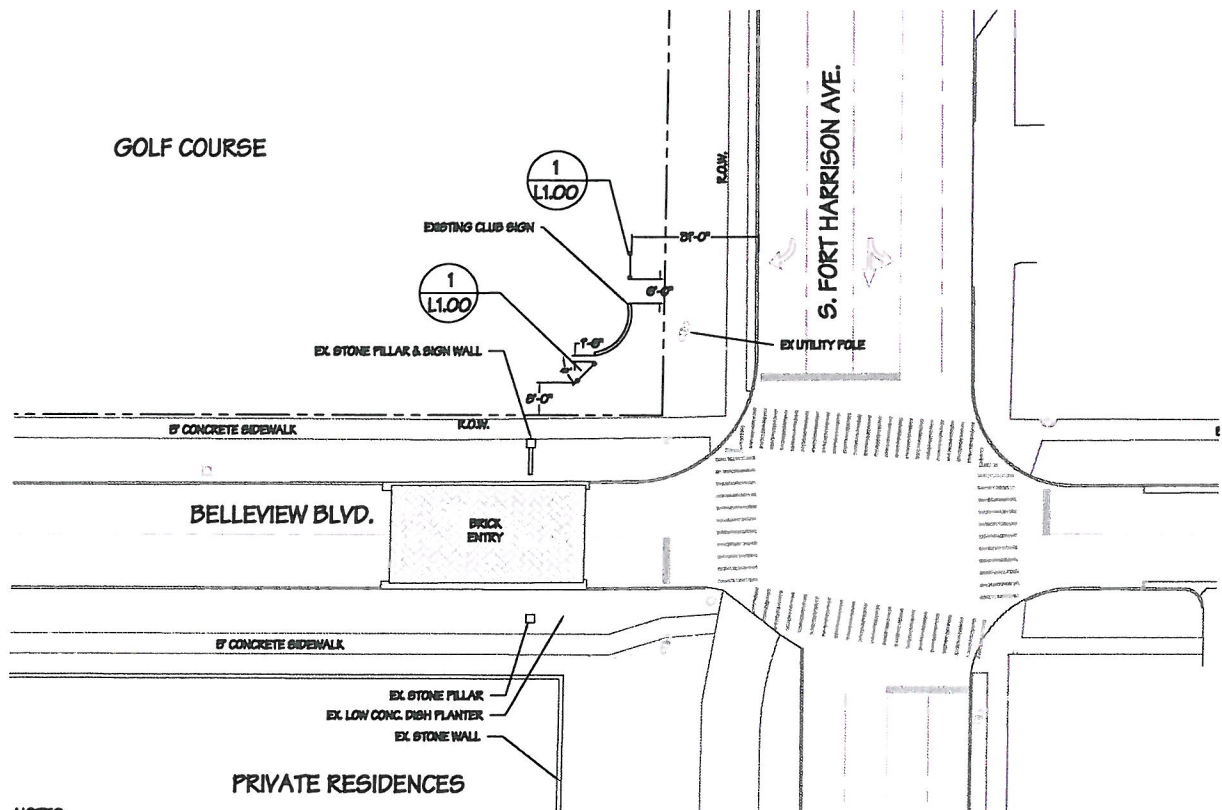
TEMPORARY
SIGNAGE
EXHIBIT

L1.00



1 TEMPORARY SALES SIGN ELEVATION

NTS

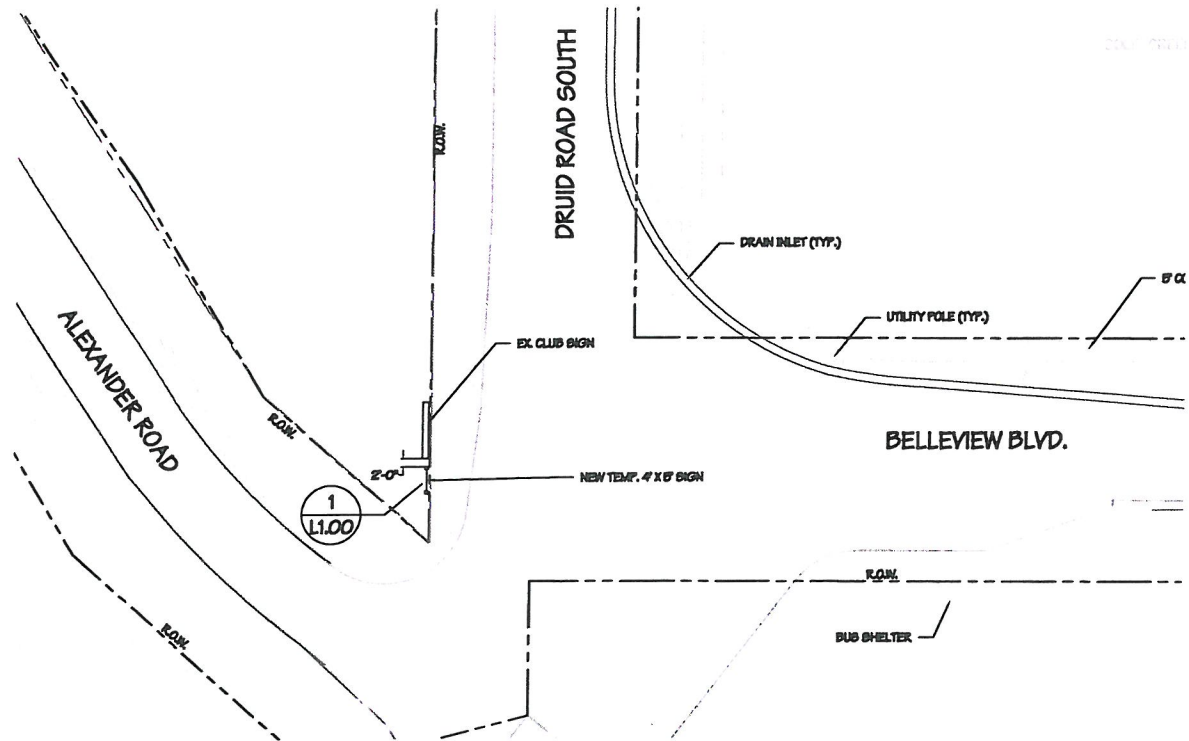


NOTES:

1. 4' X 8' WOOD TEMPORARY SIGN SHALL BE ERECTED IMMEDIATELY.
2. ANY APPROVED FUTURE RELOCATION OF TEMPORARY SIGNS SHALL COMPLY WITH MUNICIPAL CODES.

TEMPORARY SALES SIGN LOCATION PLAN
FORT HARRISON AVENUE & BELLEVIEW BOULEVARD

NTS

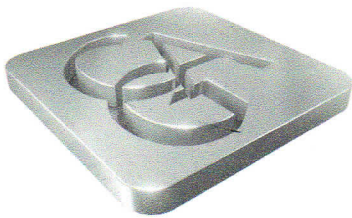


NOTES:

1. 4' X 8' WOOD TEMPORARY SIGN SHALL BE ERECTED IMMEDIATELY ADJACENT TO EXISTING COUNTRY CLUB SIGN.
2. ANY APPROVED FUTURE RELOCATION OF TEMPORARY SIGNS SHALL COMPLY WITH MUNICIPAL CODES.

TEMPORARY SALES SIGN LOCATION PLAN
DRUID ROAD & BELLEVIEW BOULEVARD

NTS



Building Code Services
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Code Enforcement
Construction Engineering
and Inspection
Construction Services
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and Development
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Engineering
Environmental Services
Facilities Management
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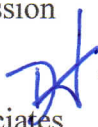
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Corporate Center
13535 Feather Sound Dr.
Suite 135
Clearwater, FL 33762
727.394.3825 phone

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MEMORANDUM

TO: Town of Belleair
Planning and Zoning Board
and
Mayor and Town Commission

FROM: David Healey, FAICP 
Calvin, Giordano & Associates

THROUGH: Micah Maxwell, ICMA - CM
Town Manager

SUBJECT: Application for Sign Variances
on behalf of JMC Communities, Inc.
for Belleair Place

DATE: September 6, 2016

Background

As part of the Belleview Place redevelopment project on the former Belleview Biltmore Hotel property, JMC Communities has proposed additional temporary on-premise sales/directional signage as a means of directing interested parties to their sales center.

This temporary sales/directional sign is in addition to the variances for permanent signs for the Country Club and JMC, Inc. considered by the Planning and Zoning Board on July 11, 2016 and approved by the Town Commission on July 19, 2016; and the off-premise temporary signs also being considered at this hearing for JMC on the Belleair Country Club property.

This proposed sign is to be located on the Belleview Place property at the property entrance on Belleview Boulevard.

A copy of the application and accompanying sign plan prepared by Phil Graham Landscape Architecture received on August 15, 2016 has been provided to the Planning and Zoning Board for your review and recommendation, and to the Town Commission for their determination and action.

Please see in particular the applicants' justification for the requested variance in response to Item 7. on the Town's application form.



Summary Description of Requested Variance

A summary outline of the proposed sign and the nature of the variance requested is set forth below:

Temporary Sign #4 - Is proposed to be located at the entrance to the Belleview Place and Inn project (Parcel No. 21-29-15-06480-000-0301) on property zoned PMU, Planned Mixed Use, to permit one (1) additional temporary on-premises sign for Belleview Place.

The proposed sign structure is to consist of painted white PVC posts measuring 6 feet in height, plus a decorative cap, with a sign face measuring 20 square feet in area.

While the standard requirements for an on-premises temporary sign would allow a sign 6 feet in height and 20 square feet in area, since this is an additional sign, the sign is allowed subject to the reduced size and height provisions in Section 74-572 (e) as noted below.

The proposed setback is five (5) feet from the right-of-way to the entrance of the project for Belleview Blvd.; whereas a ten (10) feet setback is required.

The variances required for this sign are as follows:

- A variance to Chapter 74, Section 74-572 (e) which allows for one additional on-premises temporary sign, limited to five (5) square feet in area and four (4) feet in height
- A variance to Chapter 74, Section 74-572 (c) which states that "Temporary signs and support structures are to be posted not less than ten (10) feet from the edge of a street and shall not be posted on or over a public right-of-way or easement."

In summary, the request for Temporary Sign #4 is to allow an additional temporary on-premises sign of 20 square feet, 6 feet in height, where 5 square feet in area and 4 feet in height are permitted - a variance of 15 square feet in area and 2 feet in height; and to allow a 5 feet setback as opposed to the 10 feet required - a variance of 5 feet.

The variance for Temporary Sign #4 is proposed to "remain in this location until the completion of sales or January 1, 2021 whichever shall first occur".



Applicable Criteria and Related Considerations

The process and criteria for considerations of the requested variances is governed by Article V, Variances, Nonconformities and Hardship Relief, Section 66-251 and 66-253.

Section 66-251, Purpose of Division, states that *"The purpose of this division is to provide mechanisms for obtaining relief from the provisions of this land development code where hardship would otherwise occur."*

Section 66-253, Variances, grants authority to the Town Commission, *"Where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the provisions of this land development code, the town commission shall have the power in specific and appropriate cases, and after due notice and a public hearing, to grant upon petition such variance from or exception to the terms of this Code as may not be contrary to the public interest and in order that substantial justice may be done.."*

The criteria for granting variances are included in Section 66-253 (b) 1. - 6. as follows:

(b) *Criteria for granting; conditional approval; expiration of approval.*

(1) *Initial determination.*

a. *Before granting any variance, the town commission shall determine that:*

1. *Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*
2. *The special conditions and circumstances do not result from actions of the applicant.*
3. *Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*
4. *The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure or building.*
5. *A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*
6. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations (section 74-82 of this Code) for the zoning district in which the property is located.*

It is the applicant's responsibility to establish that the application for variance(s) addresses and satisfies the applicable criteria.



Summary

The Planning and Zoning Board's role is to assess the relative merits and eligibility of the requested variances in relationship to the requirements of the Code and provide an advisory recommendation to the Town Commission. It is ultimately the Town Commission's purview to weigh the application against the requisite criteria and make a finding and determination with respect thereto.

The Commission may approve, deny, or approve with conditions, the request for variance(s).

The guiding principles for the Commission in rendering its decision are found in the purpose statement for variances identified above that gives the Town Commission the power to grant variances *..where there are practical difficulties or unnecessary hardships incurred in the literal enforcement of the Code.....that are not contrary to the public interest and in order that substantial justice maybe done.....*

Among the considerations to be evaluated by the Board and Commission relative to the justification for an additional temporary on-premises sales/directional signage, in relationship to the specified criteria, are the following:

- The proposed size and height of the sign;
- The location of the sign relative to its setback; and
- The time period applicable to the sign



TOWN OF BELLEAIR

901 Ponce de Leon Blvd.

Belleair, Florida 33756-1096

Phone: (727) 588-3769 ext. 215

Fax: (727) 588-3768

RECEIVED
BELLAIR BLDG. DEPT.

AUG 15 2016

TIME REC. _____ DATE August 12, 2016

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Belleview Place - Condominium, LLC, owner of Lot 21-29-15-06480-000-0301
Block _____, Subdivision _____, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned PMU.
3. The present land use on the property is CG.
4. The decision involves Article IX Section 74-572 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: Vairance to allow one 4' x 5' temporary sign for Belleview Place
per the attached plan to remain in this location until the completion of sales or January 1, 2021 whichever shall.
first occur.
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): Directional signage for public access
to our sales center.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit id produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: _____

by [Signature]
Owner
2201 4th Street North, St. Petersburg, FL 33704
Address
(727) 823-0022
Telephone Number



Legislation Details (With Text)

File #: 16-0171 **Version:** 1 **Name:**
Type: Minutes **Status:** Minutes Approval
File created: 7/18/2016 **In control:** Planning & Zoning Board
On agenda: **Final action:**
Title: Approval of July 11, 2016 Meeting Minutes
Sponsors:
Indexes:
Code sections:
Attachments: [P & Z Minutes 07-11-2016](#)

Date	Ver.	Action By	Action	Result
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Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Minutes Planning & Zoning Board

Monday, July 11, 2016

5:30 PM

Town Hall

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

Meeting called to order at 5:32 PM with Chairman Brandvik presiding. New member Jerome Ciliento welcomed; Randy Ware thanked for his past service on the board.

ROLL CALL

Present 6 - Chairman Bonnie-Sue Brandvik, Al Acken, Jim Millspaugh, Peter Marich, Marc Mariano, and Jerome Ciliento

Absent 1 - Vice Chairman Gloria Burton

SCHEDULED PUBLIC HEARING

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

16-0156

Variance for 1 Country Club Lane

Town Clerk swore in those who would be speaking; No ex parte communications from board members.

JP Murphy-Assistant Town Manager-Introduced case; applicant requesting additional signage on three different zoned properties; Dave Healy to provide staff report.

Dave Healey-Calvin Giordano & Associates, Planning Consultant-This is a coordinated effort between Belleair Country Club and the Bellevue Place and Inn project; staff has met with applicant and made recommendations; three existing signs to be removed, five new to be put up. Mr. Healey briefly described the signs as follows:

First Sign (1 A & B): NW corner on Ft Harrison and Bellevue Blvd; 4ft brick wall with 6ft columns; sign A is a variance for an additional sign for Belleair Country Club; sign B is an additional and off premise sign for Bellevue Place.

Second and Third Signs: Pillars located on each side of Indian Rocks Rd; one replaces existing sign for BCC; other is for Bellevue Place.

Fourth and Fifth Signs: On Alexander Rd: Same as signs 1 A & B; replaces existing Belleair Country Club sign; other is for Bellevue Place.

Chairman Brandvik questioned landscaping; Mr. Healey noted all must meet visibility triangle requirements.

Mr. Healey continued description of sign 4 A & B; variance needed due to R-1 zoning designation. Sign 5 to be located at new entrance to Bellevue Inn and Country Club; sign on right is for inn and already approved as part of the project; country club sign on left needs approval.

Mr. Cilento questioned if recycled brick being used; questioned contingency plan for repairs. Mr. Healey requested the applicant address items.

Chairman Brandvik questioned hardship as well as addressing other RPD properties in sign; Mr. Healey noted intent is to remove Bellevue Place from sign once condo units are sold; believes rationale is that signs help to direct people to the area.

Deputy Mayor Rettstatt questioned column sign placement; Mr. Healey identified specific locations; read variance definition for board and referred to code criteria for granting a variance.

Michael Cheezum-JMC Communities, Applicant-Commented on project; expect sales to begin this fall; rehabilitation for the historic inn will take approximately fifteen months to complete; thanked staff and residents for support through the process. Seeking variance for permanent signage; signs help serve as a reminder of the hotel and location history; will be seeking variance for temporary signs in the future to aid in directing people and sale of condominiums. Mr. Cheezum commented on criteria; feels special conditions due to property being landlocked; available for any questions relating to variance criteria.

Chairman Brandvik commented on project, would like to have the additional sign language if applicant is amenable; Mr. Cheezum would consider.

Public comments heard

Jim White-Resident (3 Seaside Lane)-Spoke in support of variance; will aid in sale of condo units and benefit both applicant and town; would like additional areas in development included in sign; will discuss at next RPD meeting.

Meeting closed to public comment

Board discussion regarding history of signs for prior development projects.

Mr. White commented that he was familiar with Seaside project, no signs; RPD area slow in developing.

Mr. Cilento questioned applicant regarding maintenance responsibilities; Mr. Cheezum stated it will be maintained; lighting will be consistent with current practice, illuminated until approximately 10:00 PM.

Chairman Brandvik commented on removal of "and place" from sign; would approve temporary signage; creates way finding issues for other properties in RPD; previous

developments did not have signage.

Mr. Marich moved to approve; seconded by Mr. Acken.

Aye: 5 - Acken, Millspaugh, Marich, Mariano, and Ciliento

Nay: 1 - Chairman Brandvik

Absent: 1 - Vice Chairman Burton

CITIZENS COMMENTS

No comments to be heard.

APPROVAL OF MINUTES

[16-0081](#) Approval of April 11th, 2016 Meeting Minutes

Chairman Brandvik asked for discussion regarding approval of April 11th, 2016 Meeting Minutes; hearing none, the minutes were approved by the follow roll vote:

Aye: 6 - Chairman Brandvik, Acken, Millspaugh, Marich, Mariano, and Ciliento

Absent: 1 - Vice Chairman Burton

GENERAL AGENDA

[16-0136](#) Election of Officers

Chairman Brandvik asked for nominations for Board Chairman.

Mr. Marich nominated Bonnie; seconded by Mr. Acken. Board elected Ms. Brandvik by the following vote:

Aye: 6 - Chairman Brandvik, Acken, Millspaugh, Marich, Mariano, and Ciliento

Absent: 1 - Vice Chairman Burton

Chairman Brandvik stated a Vice Chairman needs elected; Gloria Burton is current Vice Chair; Ms. Burton has agreed to serve if nominated.

Mr. Acken nominated Gloria Burton; seconded by Mr. Mariano. Board elected Ms. Burton by the following vote:

Aye: 6 - Chairman Brandvik, Acken, Millspaugh, Marich, Mariano, and Ciliento

Absent: 1 - Vice Chairman Burton

OTHER BUSINESS

No other business

COMMISSION ADVISOR REPORT

Deputy Mayor Rettstatt had nothing to report. Provided details on up-coming events; Gracie's Big Splash will be August 6th; Honor the Blue Tribute is a benefit to supplement non budget police items to be held October 22nd at 7:00 PM at Biltmore Golf Course; Belleair Community Foundation also hosting veterans event Saturday, November 11th at Hunter Park.

ADJOURNMENT

No further business; meeting adjourned in due form at 6:18 PM.

APPROVED:

Chairman